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Washington, Tuesday, September 19, 1944

*The President*

**EXECUTIVE ORDER 9482**

**AUTHORIZING THE SECRETARY OF THE INTERIOR TO TAKE POSSESSION OF AND OPERATE CERTAIN MINES, COLLIERIES, AND PREPARATION FACILITIES**

WHEREAS after investigation I find and proclaim that there are interruptions of the operations of the mines, collieries, and preparation facilities designated in the list attached hereto and made a part hereof, as a result of existing and threatened strikes and other labor disturbances; that the effective prosecution of the war will be unduly impeded or delayed by such interruptions; and that the exercise, as herein specified, of the powers vested in me is necessary to insure, in the interest of the war effort, the operation of these mines, collieries, and facilities:

NOW, THEREFORE, by virtue of the power and authority vested in me by the Constitution and laws of the United States, including section 9 of the Selective Training and Service Act of 1940 (54 Stat. 892) as amended by the War Labor Disputes Act (57 Stat. 163), as President of the United States and Commander in Chief of the Army and Navy of the United States, it is hereby ordered as follows:

1. The Secretary of the Interior is authorized and directed to take possession of the mines, collieries, and preparation facilities designated in the list attached hereto and made a part hereof, and of any real or personal property, and other assets, used in connection with the operation thereof; to operate or arrange for the operation of such mines, collieries, and facilities in such manner as he deems necessary for the successful prosecution of the war; and to do all things necessary for, or incidental to, the production, sale and distribution of the coal produced, prepared, or handled by the said mines, collieries, and facilities.

2. The Secretary of the Interior shall operate the said mines, collieries, and facilities in accordance with the terms and conditions of employment which are in effect at the time possession thereof is taken, subject to the provisions of sec-

tion 5 of the War Labor Disputes Act. He shall provide such protection of the employees as may be necessary to maintain production, and shall take such appropriate disciplinary action, not inconsistent with law, as may be necessary to effectuate the purposes of this order.

3. In carrying out this order, the Secretary of the Interior shall act through or with the aid of such public or private instrumentalities or persons as he may designate. All Federal agencies, including but not limited to the War Manpower Commission, the National Selective Service System, the War Department, and the Department of Justice, are directed to cooperate with the Secretary of the Interior to the fullest extent possible in carrying out the purposes of this order.

4. The Secretary of the Interior shall permit the managements of the mines, collieries, and facilities taken under the provisions of this order to continue with their managerial functions to the maximum degree possible, consistent with the aims of this order.

5. Possession of the mines, collieries, and facilities taken under this order shall be terminated by the Secretary of the Interior within sixty days after he determines that the productive efficiency of the mines, collieries, and facilities has been restored to that prevailing prior to the interruption of production referred to in the recitals of this order.

FRANKLIN D ROOSEVELT  
THE WHITE HOUSE,  
September 14, 1944.

**LIST OF MINES, COLLIERIES, AND PREPARATION FACILITIES**

Christopher Mining Co., No. 6 Mine, Four States, W. Va.  
Crab Orchard Improvement Co., No. 5 and No. 6 Mines, Eccles, W. Va.  
Eastern Coal Corporation, No. 7 Mine, McVeigh, Ky.  
Industrial Collieries Corporation, No. 21 Mine, Dellslow, W. Va.  
Industrial Collieries Corporation, No. 41 Mine, Barrackville, W. Va.  
Industrial Collieries Corporation, No. 42 Mine, Dakota, W. Va.  
Industrial Collieries Corporation, No. 43 Mine, Carolina, W. Va.

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# FEDERAL REGISTER

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## NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at \$3.00 per unit. The following are now available:

- Book 1: Titles 1-3 (Presidential documents) with tables and index.
- Book 2: Titles 4-9, with index.
- Book 3: Titles 10-17, with index.
- Book 4: Titles 18-25, with index.
- Book 5, Part 1: Title 26, Parts 2-178.
- Book 5, Part 2: Title 26, completed; Title 27; with index.
- Book 6: Titles 28-32, with index.

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 Octavia Coal Mining Co., Octavia Mine, McAndrews, Ky.  
 Raleigh Wyoming Mining Co., Glen Roger Mine, Glen Roger, W. Va.  
 River Seam Coal Co., Booth Mine, Booth, W. Va.  
 Virginia Pittsburgh Coal Co., Morgan Mine, Rivesville, W. Va.

Wyoming Coal Co., Wyco Mine, Wyco, W. Va.

[F. R. Doc. 44-14314; Filed, Sept. 16, 1944; 11:05 a. m.]

## Regulations

## TITLE 7—AGRICULTURE

## Chapter XI—War Food Administration (Distribution Orders)

## PART 1468—GRAINS

[WFO 66, Amdt. 4]

## MALTED GRAINS, MALT SYRUP, RICE, HOPS, AND HOP PRODUCTS

War Food Order No. 66, as amended (8 F.R. 10480, 13841; 9 F.R. 1084, 4321, 4319), is further amended by deleting §§ 1468.2 (b) (2) and (3) and inserting, in lieu thereof, the following:

(2) Notwithstanding the limitations contained in (b) (1) hereof, if 93 percent of the total quantity of malted grain used by any brewer in the base year at all of the plants owned by him did not exceed 70,000 bushels, such brewer may use, during any quota period, in lieu of a quota computed pursuant to (b) (1) hereof, a total quantity of malted grain which is not in excess of 100 percent of the total quantity of malted grain used by such brewer during the corresponding 3-month period of such base year. However, any such brewer may, during the quota period beginning on September 1, 1944, and ending on November 30, 1944, use an additional amount of malted grain in the manufacture of malt beverages not in excess of 10 percent of his quota of malted grain computed for such quota period in accordance with the provisions of the preceding sentence of this paragraph. The total quantity of malted grain used by any brewer whose quota therefor is computed pursuant to the provisions of this paragraph during any period of 12 consecutive calendar months beginning on March 1 of any year while this order is in effect shall not exceed 70,000 bushels.

(3) Notwithstanding the limitations contained in (b) (1) hereof, if the quantity of malted grain used by any brewer in the base year did not exceed 8,000 bushels, such brewer, in lieu of a quota computed pursuant to (b) (1) hereof, may use, during each quota period, a total quantity of malted grain which is not in excess of 2,000 bushels, except that, for the quota period beginning on September 1, 1944, and ending on November 30, 1944, any such brewer may use an additional amount of malted grain for that purpose not in excess of 200 bushels.

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., September 1, 1944. With respect to violations, rights accrued, liabilities incurred, or appeals taken under said War Food Order No. 66, as amended, prior to the effective time of the provisions hereof, the provisions of said War Food Order No. 66, as amended, in effect

prior to the effective time hereof shall be deemed to continue in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with regard to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 16th day of September 1944.

GROVER B. HILL,  
 Acting War Food Administrator.

[F. R. Doc. 44-14355; Filed, Sept. 16, 1944; 3:30 p. m.]

## TITLE 8—ALIENS AND NATIONALITY

## Chapter II—Office of Alien Property Custodian

## PART 504—REGULATIONS ISSUED UNDER GENERAL ORDER NO. 11

## LICENSING TRANSACTIONS INVOLVING PATENTS AND TRADEMARKS

Section 504.2 paragraph (a) (1) of Regulation No. 2, as amended, under General Order No. 11 (7 F.R. 9477) is hereby amended to read as follows:

§ 504.2 Regulation No. 2 under General Order No. 11. (a) (1) The filing in the United States Patent Office of applications for Letters Patent and for Trademark Registration (except such applications received directly or indirectly from enemy nationals on or after November 17, 1942) and the prosecution in the United States Patent Office of applications for Letters Patent and for Trademark Registration in which a designated foreign country or a national thereof has at any time on or since the effective date of Executive Order No. 8389, as amended, had any interest, and the receipt of Letters Patent or Trademark Registration certificate granted pursuant to any such application, *Provided*,

(i) That if the person filing or prosecuting any such application or acting as attorney or agent in connection therewith has any knowledge, information or belief concerning any instrument, agreement or understanding affecting title to, or granting any interest in, including licenses under, any such application, he shall record under the provisions of paragraph (a) (2) hereof, the instrument, agreement or understanding, if it is in his possession or control and recordable, or, if it is not in his possession or control or not recordable, he shall, at the time of filing the application or the first paper filed therein in the United States Patent Office after the date of this amended regulation (unless a report on Form APC-13P or APC-13T has previously been filed with respect to such application), file directly with the Alien Property Custodian a report on Form APC-13P for patents or Form APC-13T for trademarks, setting forth under oath the information called for therein, except that such report need not be executed under oath in cases where the person



reporting is an attorney or agent registered in the United States Patent Office, if such attorney or agent certifies that the statements made therein are true and complete to the best of his knowledge and belief;

(ii) That the person filing or prosecuting any such application shall notify the Patent Office in writing (unless he has already so notified the Patent Office) that the application is being filed and prosecuted pursuant to this amended regulation; and

(iii) That such filing, prosecution or receipt involves no communication, direct or indirect, to an enemy national.

Executed at Washington, D. C. on September 14, 1944.

[SEAL] JAMES E. MARKHAM,  
Alien Property Custodian.

[F. R. Doc. 44-14390; Filed, Sept. 18, 1944;  
10:48 a. m.]

#### PART 504—REGULATIONS ISSUED UNDER GENERAL ORDER NO. 11

##### LICENSING TRANSACTIONS INVOLVING PATENTS AND TRADEMARKS

§ 504.5 Regulation No. 5 under General Order No. 11. Any partnership, association, corporation or other organization which is organized under the laws of the United States, or of any of them, or any resident of the United States, shall, for the purpose of receiving an assignment of a United States patent or patent application or of an undivided interest therein, be regarded, as a person within the United States who is not a national of any foreign country designated in section 3 of Executive Order No. 8389, as amended, except as such organization or person shall be specifically excluded by the effect of this regulation, by further regulation under General Order No. 11.

Executed at Washington, D. C., on September 14, 1944.

[SEAL] JAMES E. MARKHAM,  
Alien Property Custodian.

[F. R. Doc. 44-14389; Filed, Sept. 18, 1944;  
10:48 a. m.]

#### TITLE 14—CIVIL AVIATION

##### Chapter I—Civil Aeronautics Board

[Civil Air Regs., Amendment 04-2]

##### PART 04—AIRPLANE AIRWORTHINESS

###### POSITION LIGHTS

Adopted by the Civil Aeronautics Board at its office in Washington, D. C., on the 15th day of September, 1944.

Effective September 15, 1944, § 04.5827 of the Civil Air Regulations is amended by striking the words "with one unit above the other."

(52 Stat. 984, 1007; 49 U. S. C. 425, 551)

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,  
Secretary.

[F. R. Doc. 44-14384; Filed, Sept. 18, 1944;  
10:17 a. m.]

#### TITLE 16—COMMERCIAL PRACTICES

##### Chapter I—Federal Trade Commission

[Docket No. 3882-1]

##### PART 3—DIGEST OF CEASE AND DESIST ORDERS

###### UNIVERSAL INDUSTRIES, INC., ET AL.

§ 3.6 (a) Advertising falsely or misleadingly—Business status, advantages or connections of advertiser—Financial condition: § 3.6 (a) Advertising falsely or misleadingly—Business status, advantages or connection of advertiser—History: § 3.6 (r) Advertising falsely or misleadingly—Prices—Exaggerated as regular and customary: § 3.6 (s) Advertising falsely or misleadingly—Promotional sales plans: § 3.6 (ee) Advertising falsely or misleadingly—Terms and conditions: § 3.6 (gg) Advertising falsely or misleadingly—Value: § 3.71 (f) Neglecting, unfairly or deceptively, to make material disclosure—Terms and conditions: § 3.72 (n10) Offering deceptive inducements to purchase or deal—Terms and conditions. In connection with the offer, etc., in commerce, of sales stimulator plans or devices, including trade cards, circulars, and other advertising material, and tableware and other products used as premium merchandise in connection with the operation of any sales stimulator plan, and among other things, as in order set forth, (1) misrepresenting, in any manner, the financial condition and assets of respondents' business or the length of time in which said respondents have been engaged in business; (2) representing as customary or regular prices, or values for any of respondents' products prices or values which are, in fact, fictitious or greatly in excess of the prices at which such products are customarily offered for sale and sold in the normal course of business; or (3) misrepresenting the cost of any sales plan or sales stimulator to any dealer or merchant by failing to reveal that additional sums of money must be paid by such dealer or merchant in the operation of such sales plan or the use of such sales stimulator; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Modified cease and desist order, Universal Industries, Inc. et al., Docket 3882, August 16, 1944]

§ 3.6 (g) Advertising falsely or misleadingly—Earnings: § 3.6 (i) Advertising falsely or misleadingly—Free goods or service. § 3.6 (s) Advertising falsely or misleadingly—Promotional sales plans: § 3.6 (ee) Advertising falsely or misleadingly—Terms and conditions: § 3.72 (e) Offering deceptive inducements to purchase or deal—Free goods: § 3.72 (n10) Offering deceptive inducements to purchase or deal—Terms and conditions: § 3.80 (c) Securing agents or representatives falsely or misleadingly—Earnings: § 3.80 (i) Securing agents or representatives falsely or misleadingly—Terms and conditions. In connection with offer etc., in commerce, of sales stimulator

16 F.R. 2411.

plans or devices, including trade cards, circulars, and other advertising material, and tableware and other products used as premium merchandise in connection with the operation of any sales stimulator plan, and among other things, as in order set forth, (1) representing any specified sum of money as possible earnings or profits of agents, salesmen, representatives, or distributors for any stated period of time which is not a true representation of the net earnings or profits which have been made for such stated period of time by a substantial number of respondents' active agents, salesmen, representatives, or distributors in the ordinary course of business under normal conditions and circumstances; (2) representing any specified sum of money as earnings or profits of any specified agent, salesman, representative, or distributor for any stated period of time which has not, in fact, been consistently earned, net, by such agent, salesman, representative, or distributor in the ordinary course of business and under normal conditions and circumstances; or (3) using the term "free" or any other term of similar import or meaning, to describe or refer to articles offered as compensation for distributing respondents' merchandise; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Modified cease and desist order, Universal Industries, Inc., et al., Docket 3882, August 16, 1944]

At a regular session of the Federal Trade Commission held at its office in the City of Washington, D. C., on the 16th day of August, 1944.

In the Matter of Universal Industries, Inc., a Corporation, and Abraham Leonard Koolish, Mrs. Ida B. Koolish and George William Ehrlich, Individually and as Officers and Directors of Universal Industries, Inc.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answer of the respondents, testimony, and other evidence taken before Miles J. Furnas, an examiner of the Commission theretofore duly designated by it, in support of the allegations of said complaint and in opposition thereto, and report of the trial examiner thereon, and briefs filed herein, and the Commission having duly made and issued its findings as to the facts, conclusion and order to cease and desist dated April 24, 1941; and the Commission having further considered said order to cease and desist heretofore issued, and being of the opinion that the public interest requires that a modified order to cease and desist should be issued in said cause; and the Commission having given due notice to the respondents to show cause on July 24, 1944, why this case should not be reopened for the purpose of modifying said order to cease and desist; and the Commission having considered the matter and the record herein, and having issued its order modifying said order in certain respects, issues this its modified order to cease and desist:



It is ordered, That the respondent Universal Industries, Inc., a corporation, its officers, representatives, agents, and employees, the respondent Abraham Leonard Koolish, an individual, and respondent George William Ehrlich, an individual, and their respective representatives, agents, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution in commerce, as "commerce" is defined in the Federal Trade Commission Act, of sales stimulator plans or devices, including trade cards, circulars, and other advertising material, and tableware, and other products used as premium merchandise in connection with the operation of any sales stimulator plan, do forthwith cease and desist from:

(1) Misrepresenting, in any manner, the financial condition and assets of respondents' business or the length of time in which said respondents have been engaged in business.

(2) Representing as customary or regular prices or values for any of respondents' products prices or values which are, in fact, fictitious or greatly in excess of the prices at which such products are customarily offered for sale and sold in the normal course of business.

(3) Representing any specified sum of money as possible earnings or profits of agents, salesmen, representatives, or distributors for any stated period of time which is not a true representation of the net earnings or profits which have been made for such stated period of time by a substantial number of respondents' active agents, salesmen, representatives, or distributors in the ordinary course of business under normal conditions and circumstances.

(4) Representing any specified sum of money as earnings or profits of any specified agent, salesman, representative, or distributor for any stated period of time which has not, in fact, been consistently earned, net, by such agent, salesman, representative, or distributor in the ordinary course of business and under normal conditions and circumstances.

(5) Using the term "free," or any other term of similar import or meaning, to describe or refer to articles offered as compensation for distributing respondents' merchandise.

(6) Misrepresenting the cost of any sales plan or sales stimulator to any dealer or merchant by failing to reveal that additional sums of money must be paid by such dealer or merchant in the operation of such sales plan or the use of such sales stimulator.

It is further ordered, That the respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

[SEAL]

OTIS B. JOHNSON,  
Secretary.

[F. R. Doc. 44-14385; Filed, Sept. 18, 1944;  
10:39 a. m.]

## TITLE 24—HOUSING CREDIT

### Chapter VII—National Housing Agency

[Gen. Order 21-30]

#### PART 705—DELEGATIONS OF AUTHORITY

##### CONTRACT SETTLEMENT AUTHORITY OF COMMISSIONER OF FEDERAL PUBLIC HOUSING AUTHORITY

Sec.

705.1 General policy.

705.2 Authorizing the Commissioner of the Federal Public Housing Authority to act for the National Housing Administrator under the "Contract Settlement Act of 1944."

AUTHORITY: §§ 705.1 to 705.2, inclusive, issued under 55 Stat. 833, 50 U.S.C., App., Sup., 601, E.O. 9070; E.O. 9116; Title 3, supra.

§ 705.1 *General policy.* The purpose of this general order is to delegate to the Commissioner of the Federal Public Housing Authority all of the functions, powers and duties contained in the Contract Settlement Act of 1944, Public Law No. 395, 78th Congress, Second Session, or contained in applicable orders and regulations issued thereunder by the Director of Contract Settlement.

§ 705.2 *Authorizing the Commissioner of the Federal Public Housing Authority to act for the National Housing Administrator under the "Contract Settlement Act of 1944."* (a) The Contract Settlement Act of 1944, Public Law No. 395, 78th Congress, Second Session, requires contracting agencies to modify and amend war contracts in the appropriate cases where such contracts do not provide for or provide against fair compensation for their termination. The act further authorizes contracting agencies to take appropriate action to accomplish the objectives of the act. A contracting agency is defined as any Government agency authorized to make contracts pursuant to section 201 of the First War Powers Act, 1941.

(b) Pursuant to authority vested in me by said Contract Settlement Act of 1944, I hereby designate the Federal Public Housing Commissioner and any officer of the Federal Public Housing Authority who is designated to act as Federal Public Housing Commissioner to perform and exercise, with respect to contracts made or to be made by the Federal Public Housing Authority connected with or related to the prosecution of the war, all of the functions, powers and duties contained in said act or contained in applicable orders and regulations issued thereunder by the Director of Contract Settlement.

(c) The Federal Public Housing Commissioner and any officer of the Federal Public Housing Authority who is designated to act as Federal Public Housing Commissioner may delegate to persons under him any of such powers, functions and duties as he may deem necessary.

JOHN B. BLANDFORD, Jr.,  
Administrator.

SEPTEMBER 8, 1944.

[F. R. Doc. 44-14322; Filed Sept. 16, 1944;  
11:30 a. m.]

## TITLE 25—INDIANS

### Chapter I—Office of Indian Affairs, Department of the Interior

#### Subchapter Q—Leases and Permits on Restricted Indian Lands

##### PART 171—LEASING OF INDIAN ALLOTTED AND TRIBAL LANDS FOR FARMING, GRAZING AND BUSINESS

##### PORT MADISON AND TULALIP RESERVATIONS

This part is amended by adding the following section thereto:

§ 171.32a *Port Madison and Tulalip Reservations.* Except as otherwise provided in this section, any Indian lands on the Port Madison and Snohomish or Tulalip Reservations in the State of Washington may be leased by the Indians with the approval of the Secretary of the Interior under the terms and conditions prescribed in this part. No lease shall be made for a period in excess of 25 years. Where the lease so provides it may be renewed for an additional term not to exceed 25 years. (54 Stat. 1057; 25 U.S.C. 403, a)

Dated: September 12, 1944.

OSCAR L. CHAPMAN,  
Assistant Secretary of the Interior.

[F. R. Doc. 44-14386; Filed, Sept. 18, 1944;  
11:07 a. m.]

## TITLE 26—INTERNAL REVENUE

### Chapter I—Bureau of Internal Revenue

#### Subchapter A—Income and Excess-Profits Taxes

[T. D. 5404]

##### PART 35—EXCESS PROFITS TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1941

##### RATES AND CREDITS

In order to conform Regulations 112 (Part 35, Title 26, Code of Federal Regulations, Cum. Supp.) to sections 201 and 208 (a), (b), (c), and (f) of the Revenue Act of 1943 (Pub. Law 235, 78th Cong.), enacted February 25, 1944, such regulations are amended as follows:

PARAGRAPH 1. There is inserted immediately preceding § 35.735-1 the following:

SEC. 208. NONTAXABLE INCOME OF CERTAIN INDUSTRIES WITH DEPLETABLE RESOURCES. (Revenue Act of 1943, Title II.)

(a) *Technical amendment.* So much of section 735 (relating to nontaxable income from certain mining and timber operations) as precedes subsection (a) is amended to read as follows:

SEC. 735. NONTAXABLE INCOME FROM CERTAIN MINING AND TIMBER OPERATIONS, AND FROM NATURAL GAS PROPERTIES.

(b) *Definitions.* (1) "Lessors", "natural gas company", etc. Section 735 (a) (1), (2), (3), (4), and (5) (defining terms used) are respectively amended to read as follows:

(1) *Producer; lessor; natural gas company.* The term "producer" means a corporation which extracts minerals from a mineral property, or which cuts logs from a timber block, in which an economic interest is owned by such corporation. The term "lessor" means a



corporation which owns an economic interest in a mineral property or a timber block, and is paid in accordance with the number of mineral units or timber units recovered therefrom by the person to which such property or block is leased. The term "natural gas company" means a corporation engaged in the withdrawal, or transportation by pipe line, of natural gas.

(2) *Mineral unit, natural gas unit, and timber unit.* The term "mineral unit" means a unit of metal, coal, or nonmetallic substance in the minerals recovered from the operation of a mineral property. The term "natural gas unit" means a unit of natural gas sold by a natural gas company. The term "timber unit" means a unit of timber recovered from the operation of a timber block.

(3) *Excess output.* The term "excess output" means the excess of the mineral units, natural gas units, or timber units for the taxable year over the normal output.

(4) *Normal output.* The term "normal output" means the average annual mineral units, or the average annual timber units, as the case may be, recovered in the taxable years beginning after December 31, 1935, and not beginning after December 31, 1939 (hereinafter called "base period"), of the person owning the mineral property or the timber block (whether or not the taxpayer). The term "normal output", in the case of a natural gas company, means the average annual natural gas units sold in the taxable years beginning after December 31, 1935, and not beginning after December 31, 1939 (hereinafter called "base period"), of the person owning the natural gas property (whether or not the taxpayer). The average annual mineral units, natural gas units, or timber units shall be computed by dividing the aggregate of such mineral units, natural gas units, or timber units for the base period by the number of months for which the mineral property, natural gas property, or timber block was in operation during the base period and by multiplying the amount so ascertained by twelve. In any case in which the taxpayer establishes, under regulations prescribed by the Commissioner with the approval of the Secretary, that the operation of any mineral property, natural gas property, or timber block is normally prevented for a specified period each year by physical events outside the control of the taxpayer, the number of months during which such mineral property, natural gas property, or timber block is regularly in operation during a taxable year shall be used in computing the average annual mineral units, natural gas units, or timber units, instead of twelve. Any mineral property, natural gas property, or timber block, which was in operation for less than six months during the base period, shall, for the purposes of this section, be deemed not to have been in operation during the base period.

(5) *Natural gas property.* The term "natural gas property" means the property of a natural gas company used for the withdrawal, storage, and transportation by pipe line, of natural gas, excluding any part of such property which is an emergency facility under section 124.

(2) *Timber block.* Section 735 (a) (8) (defining "timber block") is amended to read as follows:

(8) *Timber block.* The term "timber block" means an operation unit which includes all the taxpayer's timber which would logically go to a single given point of manufacture.

(3) *Unit net income.* Section 735 (a) (12) (defining "unit net income") is amended by inserting after the period at the end thereof the following: "In respect of a natural gas property, the term 'unit net income' means the amount ascertained by dividing the net income, computed in accordance with regulations prescribed by the Commissioner with the approval of the Secretary from such prop-

erty during the taxable year by the number of natural gas units sold in such year."

(c) *Nontaxable income.* Section 735 (b) (relating to nontaxable income from exempt excess output) is amended by inserting at the end thereof the following:

(4) *Coal and iron mines and timber properties not in operation during base period.* For any taxable year, the nontaxable income from exempt excess output of a coal mining or iron mining property or a timber block, which was not in operation during the base period, shall be an amount equal to one-sixth of the net income for such taxable year (computed with the allowance for depletion) from the coal mining or iron mining property or from the timber block, as the case may be.

(5) *Natural gas companies.* In the case of a natural gas company any of the natural gas property of which was in operation during the base period, the nontaxable income from exempt excess output for any taxable year shall be an amount equal to the excess output for such year multiplied by one-half of the unit net income for such year.

(f) *Taxable years to which certain amendments applicable.* The amendments made by this section with respect to lessors of mineral properties which were in operation during the base period, and with respect to lessors of timber blocks, as defined without regard to the amendments made by this section, which were in operation during the base period, and with respect to natural gas companies, shall be applicable with respect to taxable years beginning after December 31, 1941.

Sec. 201. *Taxable years to which amendments applicable.* (Revenue Act of 1943, Title II.)

Except as otherwise expressly provided, the amendments made by this title shall be applicable only with respect to taxable years beginning after December 31, 1943.

PAR. 2. Section 35.735-1 is amended to read as follows:

§ 35.735-1 *General rule.* Section 735, as amended by Public Law 172 (78th Cong., 1st Sess.) and by section 208 of the Revenue Act of 1943, provides specific rules for the computation of nontaxable income from exempt excess output which is excluded in the computation of excess profits net income of (a) a producer of minerals, (b) a producer of logs or lumber from a timber block, (c) a lessor of a mineral property, a coal or iron mining property, or a timber block, or (d) a natural gas company. It also provides specific rules for the computation of nontaxable bonus income of a producer of minerals, or a producer of logs or lumber from a timber block, as defined in such section. The exclusion of nontaxable income from exempt excess output in the case of a producer of minerals from a coal mining or iron mining property which was not in operation during the base period, or in the case of a lessor of such property applies only with respect to taxable years beginning after December 31, 1943. The exclusion of nontaxable income from exempt excess output in the case of a producer of logs or lumber from a timber block which was not an operation unit existing as of December 31, 1941, or which was not in operation during the base period, or in the case of a lessor of such property applies only with respect to taxable years beginning after December 31, 1943.

PAR. 3. Section 35.735-2 (a) as amended by Treasury Decision 5361, approved

April 20, 1944, is further amended as follows:

(A) By striking out the heading and inserting in lieu thereof the following: "(a) *Producer; lessor; natural gas company—(1) Producer.*"

(B) By adding at the end the following new subparagraphs:

(2) *Lessor.* The term "lessor" means a corporation which owns an economic interest, as described in paragraph (1) of this subparagraph, in a mineral property, in a coal or iron mining property, or in a timber block, and is paid in accordance with the number of mineral units or timber units recovered from the mineral property, coal or iron mining property, or timber block by the person to which such property is leased. A corporation which leases a mineral property, coal or iron mining property, or a timber block in consideration for the payment, annual or otherwise, of an amount which is not based upon the number of mineral units or timber units recovered from the property or block is not a lessor within the meaning of section 735 (a) (1). However, the fact that the leasehold agreement contains a provision for minimum royalties will not of itself prevent the corporation from being a lessor within the meaning of section 735 (a) (1). Nor does the fact that the corporation which leases a mineral property, coal or iron mining property, or timber block is paid by one who is not a "producer" within the meaning of this section, e. g. an individual to whom such property or block is leased or a lessee which in turn leases the property or block to a sublessee, preclude such corporation from being a lessor within the provisions of section 735 (a) (1), providing it otherwise satisfies the provisions of such section. Likewise, the fact that a corporation which is a lessor within the meaning of section 735 (a) (1) is also a lessee paying rents or royalties to a supervening holder of an economic interest does not prevent such lessor from satisfying the provisions of section 735 (a) (1).

(3) *Natural gas company.* The term "natural gas company" means a corporation which is engaged in the withdrawal of natural gas or the transportation of natural gas by pipe line. It does not include a corporation which is engaged solely in the storage of natural gas or solely in the distribution of natural gas. For the purpose of this subparagraph, distribution means the piping of natural gas, which has been received by the distribution facilities either at the end of the pipe line or at some intermediate point along the line, to the ultimate consumers of such gas. A natural gas company need not own an economic interest in the property from which the natural gas is extracted.

PAR. 4. Section 35.735-2 (b) is amended as follows:

(A) By striking out the heading and inserting in lieu thereof the following: "(b) *Mineral unit, natural gas unit, and timber unit—(1) Mineral unit.*"

(B) By inserting at the end the following new subparagraph:

(2) *Natural gas unit.* The term "natural gas unit" means a unit of natural



gas sold by a natural gas company. A natural gas unit does not mean a unit of natural gas as extracted or stored but means a unit as sold. A unit is any designation of quantity, such as 1,000 cubic feet, etc., customarily used by the taxpayer as a standard of measurement of sale.

PAR. 5. Paragraph (c) of § 35.735-2 is renumbered as subparagraph (3) of § 35.735-2 (b).

PAR. 6. Paragraph (d) of § 35.735-2 is amended as follows:

(A) By renumbering such paragraph as paragraph (c).

(B) By changing the first sentence to read as follows: "The term 'excess output' means the excess of the mineral units, the natural gas units, or the timber units for the taxable year over the normal output."

(C) By striking out the last paragraph and inserting in lieu thereof the following:

The timber units for an excess profits tax taxable year shall be the number of units of timber felled during the year, which is used in the computation of the depletion allowance for the purposes of Chapter I, but shall not include any timber cut by the taxpayer which owns, or has a contract right to cut, such timber and which has elected pursuant to the provisions of section 117 (k) (1) to treat such cutting as a sale or exchange of the timber as cut. As to the computation of the allowance for depletion, see § 29.23 (m)-21 of Regulations III. However, no timber acquired after December 31, 1941, shall be considered in determining the number of timber units for any taxable year beginning prior to January 1, 1944.

The number of natural gas units sold during the excess profits tax taxable year shall be the aggregate number of units sold by the natural gas company, whether as a result of withdrawal, of release from storage, or of transportation by pipe line, and regardless of whether different portions of the natural gas property were used in the withdrawal or the transportation of the natural gas sold. Natural gas withdrawn and stored, or transported by pipe line and stored, during the excess profits tax taxable year but not sold during such year shall not be included in the computation of the number of natural gas units for such taxable year for the purpose of the computation of excess output for such year.

The excess output of a lessor shall be computed in the same manner as the excess output of a producer, that is as the excess of the mineral units or the timber units for the taxable year over the normal output of the mineral property or timber block. The mineral units or timber units of a lessor for the excess profits tax taxable year shall be computed in the same manners as in the case of a producer, except that in the case of a lessor of a timber block there shall not be included in the timber units for such year any timber which has been disposed of by the lessor and which is considered to have been sold under the provisions of section 117 (k) (2). If the disposal of timber by the lessor is not considered a sale of such timber under the provisions of section 117 (k) (2), the num-

ber of timber units of the lessor for the excess profits tax taxable year shall not be affected by the fact that the producer of such timber has elected to consider the cutting of such timber as a sale or exchange of such timber cut under section 117 (k) (1).

PAR. 7. Former paragraph (e) of § 35.735-2 is amended by changing such paragraph to read as follows:

(d) *Normal output.* The term "normal output" means the average annual mineral units or the average annual timber units recovered, or the average annual natural gas units sold, in the taxable years beginning after December 31, 1935, and not beginning after December 31, 1939 (referred to in §§ 35.735-1 through 35.735-5 as the base period) of the person owning the mineral property, timber block, or natural gas property, whether or not such person is the taxpayer claiming relief under section 711 (a) (1) (I) or section 711 (a) (2) (K), and section 735. A person includes an individual, a trust, estate, partnership, company, or corporation. See section 3797. If the mineral property or timber block was not owned by the taxpayer for the entire base period, the taxpayer should, in its first excess profits tax return in which the benefits of section 711 (a) (1) (I) or section 711 (a) (2) (K), and section 735 are claimed, state the name and address of each person owning the mineral property or timber block during the base period and submit evidence establishing the mineral units or the timber units recovered from the mineral property or timber block by such other person during the period of its ownership, and the number of months in such period. If all or a portion of the natural gas property owned by the natural gas company during the taxable year was not owned by it during the entire base period, the taxpayer should, in its first excess profits tax return in which the benefits of section 711 (a) (1) (I) or section 711 (a) (2) (K), and section 735 are claimed, state the name and address of each person owning such natural gas property, or any portion thereof, during the base period and submit evidence establishing the natural gas units withdrawn, transported by pipe line, and sold by such other person during the period of its ownership, and the number of months in such period.

In any case in which two or more metals, coal, or nonmetallic substances are contained in the minerals recovered from a mineral property, a normal output shall be computed with respect to each type of metal, coal, or nonmetallic substance in such minerals.

In any case in which a natural gas company withdraws and sells natural gas at the mouth of the well, and in addition transports by pipe line and sells natural gas after such transportation, the normal output shall be computed as the aggregate of the sales prior to and subsequent to transportation.

The average annual mineral units or timber units shall be computed by dividing the aggregate of the mineral units of each type of metal, coal, or nonmetallic substance, or the aggregate of the timber units for the base period by the number of months for which the mineral property

or timber block was in operation during the base period and by multiplying the amount so ascertained by twelve. The average annual natural gas units shall be computed by dividing the aggregate of the natural gas units for the base period by the number of months for which the natural gas property was in operation during the base period and multiplying the amount so ascertained by twelve. In any case in which the taxpayer establishes that the operation of a mineral property, a timber block, or a natural gas property is normally prevented for a specified period each year by physical events outside the control of the taxpayer, the number of months during which such mineral property, timber block, or natural gas property is regularly in operation during a taxable year shall be used in computing the average annual mineral units, or timber units, or natural gas units, instead of twelve. If any excess profits tax taxable year for which excess output is computed for the purposes of section 735 is a taxable year of less than twelve months, the number of months in such year, in lieu of twelve and in lieu of the number of months specified in the preceding sentence (if less than such number of months), shall be used in computing the average annual mineral units, timber units, or natural gas units.

The mineral units for a taxable year in the base period shall be the number of units of each type of metal, coal, or nonmetallic substance in the minerals recovered from a mineral property during the taxable year, which would be used in computing the depletion allowance for the purposes of Chapter I if the depletion of the mineral property were computed without regard to discovery value or percentage depletion. See § 29.23 (m)-2 of Regulations 111. The timber units for a taxable year shall be the number of units of timber felled during the year used in the computation of the depletion allowance for the purposes of Chapter I. See § 29.23 (m)-21 of Regulations 111. The natural gas units for a taxable year in the base period shall be the aggregate of the number of natural gas units withdrawn from, stored in, or transported by, the natural gas property, and sold during such year by the person owning or operating the natural gas property. Natural gas withdrawn and stored, or transported by pipe line and stored, during a taxable year in the base period but not sold during such year shall not be included in the computation of the number of natural gas units for such year for the purpose of the computation of normal output.

A mineral property, or a timber block, or a natural gas property which was in operation for less than six months during the base period shall, for the purposes of section 735, be deemed not to have been in operation during the base period. Such months need not be consecutive months.

The normal output of a lessor shall be computed in the same manner as the normal output of a producer, that is as the annual average mineral units or the average annual timber units recovered during the base period of the person owning the mineral property or the timber block. A mineral property or timber



block which is owned by a lessor and which was in operation for less than six months during the base period shall be deemed not to have been in operation during the base period. Such months need not be consecutive months.

PAR. 8. There is inserted immediately preceding § 35.735-2 (f) the following new paragraph:

(e) *Natural gas property.* The term "natural gas property" means the entire property of a natural gas company which is used for the withdrawal, storage, and transportation by pipe line of natural gas but does not include any part of such property which is an emergency facility within the provisions of section 124. As to what constitutes an emergency facility, see section 124 (e) and § 29.124-0 (b) of Regulations 111.

PAR. 9. Section 35.735-2 (f) is amended by inserting at the end thereof the following:

The mineral property of a lessor need not necessarily be coextensive with the mineral property of the producer, but will be determined solely in the light of the economic interest owned by the lessor. For example, a lessor which owns a mineral property as described in this paragraph may have leased one-half of such property to one lessee-producer, and the other half to another lessee-producer. The mineral property of each lessee would be limited to that portion of the property leased to it. The mineral property of the lessor would constitute the aggregate of the mineral property leased, unaffected by its subdivision for the purpose of the leasehold agreements. Similarly, an owner of a mineral property may have joined with another owner of an adjacent mineral property in a lease with a lessee in such manner that the lessee acquires a single mineral property. Nevertheless, insofar as the lessors are concerned, each is the owner of a separate mineral property.

PAR. 10. Section 35.735-2 (h) is amended as follows:

(A) By striking out the first sentence and inserting in lieu thereof the following:

With respect to a taxable year beginning prior to January 1, 1944, the term "timber block" means an operation unit existing as of December 31, 1941, which includes all the taxpayer's timber which would logically go to a single given point of manufacture, but shall not include any operation unit acquired after December 31, 1941. With respect to a taxable year beginning after December 31, 1943, the term "timber block" means an operation unit which includes all the timber owned by the taxpayer during each year which would logically go to a single given point of manufacture.

(B) By adding the following new paragraph at the end thereof:

The timber block of a lessor need not necessarily be coextensive with the timber block of the producer, but will be determined solely in the light of the economic interest owned by the lessor in the same manner as in the case of a

lessor of a mineral property. See § 35.735-2 (f).

PAR. 11. Section 35.735-2 (1) (2) is amended as follows:

(A) By striking out the first two paragraphs and inserting in lieu thereof the following:

(2) *Gross income from the property.* For the purposes of section 735, the term "gross income from the property" for any year in the base period means the gross income from mining. The term "mining" as used herein includes not only the extraction of ores or minerals from the ground but also the ordinary treatment processes which are normally applied by the mine owners or operators to the crude mineral product after extraction in order to obtain the commercially marketable mineral product or products.

If the taxpayer sells the crude mineral product of the property in the immediate vicinity of the mine, "gross income from the property" means the amount for which such product was sold, but, if the product is transported or processed (other than by the ordinary treatment processes described below) before sale, "gross income from the property" means the representative market or field price (as of the date of sale) of a mineral product of like kind and grade as benefited by the ordinary treatment processes actually applied, before transportation of such product. If there is no such representative market or field price (as of the date of sale), then there shall be used in lieu thereof the representative market or field price of the first marketable product resulting from any process or processes (or, if the product in its crude mineral state is merely transported, the price for which sold) minus the costs and proportionate profits attributable to the transportation and the processes beyond the ordinary treatment processes.

The term "ordinary treatment processes", as used herein, shall include the following:

(i) In the case of coal—cleaning, breaking, sizing and loading for shipment;

(ii) In the case of sulphur—pumping to vats, cooling, breaking, and loading for shipment;

(iii) In the case of iron ore, bauxite, ball and sagger clay, rock asphalt, and minerals which are customarily sold in the form of a crude mineral product—sorting, concentrating, and sintering to bring to shipping grade and form, and loading for shipment;

(iv) In the case of lead, zinc, copper, gold, silver or fluorspar ores, potash, and ores which are not customarily sold in the form of the crude mineral product—crushing, grinding, and beneficiation by concentration (gravity, flotation, amalgamation, electrostatic, or magnetic), cyanidation, leaching, crystallization, precipitation, or by substantially equivalent processes or combination of processes used in the separation or extraction of the product or products from the ore. The furnacing of quicksilver ores is included in the term "ordinary treatment processes". The following processes are

not included in the term "ordinary treatment processes": electrolytic deposition, roasting, thermal or electric smelting, refining, or substantially equivalent processes.

In case any of the ordinary treatment processes are not applied in the immediate vicinity of the mining district in which the mine is located, costs incurred for transportation to the processing location and, if transported by the taxpayer, the proportionate profits attributable to transportation, should be subtracted from the sale price of the product to determine "gross income from the property".

(B) By changing the last sentence in the last paragraph to read as follows:

If the gross income from the property is determined by excluding the costs and proportionate profits attributable to transportation and to processes other than the ordinary treatment processes listed above, or if such gross income is an amount different from the gross proceeds received from the sale of the minerals, the gross income attributable to each type of metal, coal, or nonmetallic substance shall be an amount which bears the same ratio to the gross income from the property which the gross proceeds received from the sale of such type of metal, coal, or nonmetallic substance in the minerals bears to the total gross proceeds received from the sales of all such types.

In the case of a lessor, the computation of normal unit profit shall be made in a manner similar to that in the case of a producer except that the number of mineral units to be used in the computation of normal unit profit shall be the aggregate of the number of mineral units which were paid for during the base period. If the lessor's economic interest in the mineral property during the excess profits tax taxable year for which the benefits of section 735 are claimed is different from what it was during the base period, the gross income of the lessor from the property during the base period shall be recomputed as if the lessor's economic interest which existed during the excess profits tax taxable year likewise existed in full force and effect during the base period.

PAR. 12. Section 35.735-2 (1) is amended as follows:

(A) By inserting at the end of the first paragraph the following:

With respect to a natural gas company, the term "unit net income" means the amount of net income per natural gas unit for any excess profits tax taxable year for which the benefits of section 735 are claimed. It is ascertained by dividing the net income from the natural gas property during such taxable year by the number of natural gas units sold in such year.

(B) By inserting at the end of the second paragraph the following:

In the case of a lessor, the term "coal mining property" refers to the tract or parcel of land containing coal deposits in which an economic interest is owned by the lessor, and need not necessarily be coextensive with the "coal mining property" in the case of the producer.



(C) By inserting at the end of the third paragraph the following:

In the case of a lessor, the term "iron mining property" refers to the tract or parcel of land containing iron ore deposits in which an economic interest is owned by the lessor, and need not necessarily be coextensive with the "iron mining property" in the case of the producer.

(D) By changing the second sentence in the fifth paragraph to read as follows:

With respect to taxable years beginning prior to January 1, 1944, net income from a timber block includes only income which is attributable to that portion of the operation unit which was in existence and was owned by the taxpayer on December 31, 1941; net income attributable to any standing timber which is acquired after December 31, 1941, and which after such date has become a part of the timber block existing on December 31, 1941, can be included in net income from a timber block only for years beginning after December 31, 1943.

(E) By inserting at the end the following:

The determination of net income from the natural gas property must be made with respect to the entire natural gas property of the taxpayer as a single property and cannot be made separately with respect to portions of such property. If the natural gas company is engaged in other activities in addition to the withdrawal, storage, and transportation by pipe line of natural gas, the net income from the natural gas company shall not include the income attributable to such other activities. For example, if a natural gas company is engaged in the distribution of natural gas, in addition to the withdrawal, storage, and transportation by pipe line of such gas, that portion of the net income from the sales of the natural gas which is attributable to the distribution of such gas shall not be included in the net income from the natural gas property. For the purposes of this paragraph, distribution means the piping of gas, which has been received by the distribution facilities either at the end of a pipe line or at some intermediate point along the line, to the ultimate consumer of such gas. Likewise, the net income from the natural gas property does not include any net income attributable to any portion of the property of the taxpayer which is an emergency facility. So also, income derived from leasing storage facilities to other taxpayers engaged in the withdrawal, or transportation by pipe line, of natural gas shall not be included in the determination of net income from the natural gas property. If the taxpayer derives income from activities other than the withdrawal of natural gas and the transportation of natural gas by pipe line, or is engaged in such withdrawal and transportation by using, in part, property which is not included in the natural gas property, as, for example, an emergency facility, the net income from the natural gas property shall be computed as follows:

Net income from a natural gas property means the gross income from such

property as defined in this subsection less the allowable deductions attributable to such property, including overhead and operating expenses, development costs properly charged to expense, depreciation, taxes, losses sustained, and including the allowance for depletion, if any. Any allowance for depletion shall be that used in computing net income for the purposes of Chapter I for the taxable year. Deductions for depreciation and amortization of operating equipment can be charged directly to natural gas property and other property. Taxes, general expense, and overhead, which cannot be directly attributed to the natural gas property or to other property shall be fairly apportioned between (1) the natural gas property, and (2) the other property of the taxpayer, taking into account the ratio which the operating expenses directly attributable to the property constituting the natural gas property bears to the operating expenses directly attributable to the other property of the taxpayer.

Gross income from the natural gas property means the aggregate of the gross income received from the sale of natural gas at the mouth of the well or from storage plants in which the natural gas was stored, and from the sale of natural gas at the end of, or at any intermediate point along, the pipe line. It does not include any income derived from the distribution of natural gas after its transportation by pipe line. In the case of a natural gas company which transports natural gas by pipe line to a city and then distributes such gas within the city, the city gate shall be considered the end of the process of transportation by pipe line, and shall be considered the point at which distribution begins. In such a case, the market price at the city gate for the natural gas transported to that point, and subsequently sold, shall be considered to be the gross income from transportation by pipe line of such natural gas. If there is no market price at the city gate or if there is no city gate, the gross income from the natural gas property shall be determined by deducting from the gross income from the sale of such gas the costs and proportionate profits attributable to the local distribution within the city.

If any emergency facilities were used in the withdrawal, storage, or transportation of the natural gas, the gross income from the natural gas property shall be the gross income less the costs and proportionate profits attributable to the emergency facilities. Such proportionate profits shall be computed in the same manner as proportionate profits attributable to distribution facilities.

In all cases there shall be excluded in determining gross income from the natural gas property an amount equal to any rents or royalties which were paid or incurred by the taxpayer in respect of the natural gas property and are not otherwise excluded from the gross income or deducted in computing the net income from the natural gas property. The treatment of royalties in the form of bonus payments or advanced royalties in respect to the natural gas property shall be the same as in the case of such

royalties with respect to mineral properties. See § 35.735-2 (i).

The net income from the coal or iron ore from the coal or iron mining property, or from the timber block, or from the natural gas property shall be computed with the deduction of any net operating loss deduction attributable to the coal or iron ore from the coal or iron mining property, to the timber block, or to the natural gas property. Such net operating loss deduction shall be determined by computing the net operating loss for any taxable year under section 122 (a), the net operating loss carryovers and carry-backs under section 122 (b), and the adjustment under section 122 (c), as adjusted by section 711 (a) (1) (J) and (a) (2) (L), in accordance with the principles of determining net income from the coal or iron ore from the coal or iron mining property, from the timber block, or from the natural gas property set forth in this subsection.

In the case of a lessor of a coal or iron mining property or a timber block, the computation of unit net income shall be made in a manner similar to that in the case of a producer except that the number of mineral units or timber units to be used in the computation of unit net income shall be the number of mineral units or timber units which were paid for during the taxable year.

PAR. 13. Section 35.735-3 is amended as follows:

(A) By changing the phrase "§ 35.735-2 (d)" in the last sentence of the third paragraph of paragraph (a) to read "§ 35.735-2 (c)".

(B) By changing the phrase "§ 35.735-2 (e)" in the sentence immediately preceding the third paragraph of paragraph (b) to read "§ 35.735-2 (d)".

(C) By changing the phrase "§ 35.735-2 (d)" in the first paragraph of paragraph (c) to read "§ 35.735-2 (c)".

PAR. 14. Section 35.735-4 as amended by Treasury Decision 5361 and § 35.735-5 are renumbered §§ 35.735-6 and 35.735-7, respectively.

PAR. 15. There is inserted immediately preceding § 35.735-6, as renumbered by this Treasury decision, the following new sections:

§ 35.735-4 *Coal and iron mines and timber properties not in operation during base period.* In the case of a coal mining property, an iron mining property, or a timber block which was not in operation during the base period nontaxable income from exempt excess output is excluded under section 711 (a) (1) (I), if the taxpayer uses the excess profits credit based on income, or under section 711 (a) (2) (K), if the taxpayer uses the excess profits credit based on invested capital, in the computation of excess profits net income for taxable years beginning after December 31, 1943. Such nontaxable income from exempt excess output shall be an amount equal to one-sixth of the net income for such taxable year, computed with the allowance for depletion, from the coal mining property, iron mining property, or timber block, as the case may be. Such net income shall be determined in accordance with the provisions of § 35.735-2 (1), relating to unit net income.



§ 35.735-5 *Natural gas companies.* In the case of a natural gas company, as defined in section 735 (a) (1) and § 35.735-2 (a) (3), any portion of the natural gas property of which, as defined in § 35.735-2 (e), was in operation for six months or more during the base period regardless of whether such portion of such property is in operation during the taxable year, nontaxable income from exempt excess output is excluded in the computation of excess profits net income for any taxable year under section 711 (a) (1) (I) or section 711 (a) (2) (K). Such nontaxable income from exempt excess output shall be an amount equal to the excess output of such natural gas property for such year determined under § 35.735-2 (c) multiplied by one-half of the unit net income from such natural gas property for such year determined under § 35.735-2 (1).

(Sec. 62 of the Internal Revenue Code (53 Stat. 32; 26 U. S. C. 62), Sec. 729 (a) of the Internal Revenue Code (54 Stat. 989; 26 U. S. C. 729 (a)), and sec. 208 (a), (b), (c), and (f) of the Revenue Act of 1943 (Pub. Law 235, 78th Cong.), enacted Feb. 25, 1944)

[SEAL] GEO. J. SCHOENEMAN,  
Acting Commissioner  
of Internal Revenue.

Approved: September 15, 1944.

JOHN L. SULLIVAN,  
Acting Secretary  
of the Treasury.

[F. R. Doc. 44-14312; Filed, Sept. 15, 1944;  
4:19 p. m.]

## TITLE 29—LABOR

### Chapter VI—National War Labor Board

#### PART 803—GENERAL ORDERS

##### WAGE AND SALARY SCHEDULES

The following sections of General Order No. 31 have been amended to read as follows:

#### § 803.31 *Schedules.* \* \* \*

II. \* \* \*  
C. \* \* \*

2. Promotions or reclassifications involve individual adjustments which result from moving an employee into a different job classification. Promotions and reclassifications may be made between jobs which bear single rates as well as between jobs which bear rate ranges. When promoted or reclassified to a higher-rated job, an employee (subject to National War Labor Board jurisdiction) may receive a rate not in excess of 15 percent above his rate on his former job or the minimum rate for the new job, whichever is higher; *Provided, however,* That where an employee has special ability and experience, he may be paid a rate within the appropriate range corresponding to such ability and experience; *And provided further,* That a promoted or reclassified employee shall not receive a rate lower than the single rate or than the minimum of the rate range applicable to the job classification to which the

employee has been promoted or reclassified. If, before the effective date of this amendment (Sept. 7, 1944) an employer has had a plan properly in existence (as defined in this general order) which provides for the payments to a promoted or reclassified employee of a rate lower than the single rate or the minimum of the range during a probationary period, such provision may be continued in effect.

F. *Restrictions on hiring employees at rates in excess of the minimum rate of the properly established rate range for a given job classification.*

1. *Existing establishments.* An employer shall hire employees at the minimum of the properly established rate range for a given job classification: *Provided, however,* That an employee who has special ability and experience may be hired at a rate within the range corresponding to such ability and experience. But an employer may not, within a given year (which shall be the same year as the one used by the employer in calculating the average amount of merit or length of service increases given under Section II-C-1 of this general order), hire more than 25% of all the employees hired in his establishment for job classifications for which rate ranges have been established, at rates in excess of the minima of such rate ranges for such job classifications. In any establishment in which fewer than four employees are hired within the year, for such job classifications, one employee who has special ability and experience may be hired at a rate in excess of the minimum rate of the properly established rate range. If, before the effective date of this amendment, an employer has had a plan properly in existence (as defined in this General Order) which provides that some percentage of employees in excess of 25 percent may be hired at rates above the appropriate minimum rates, such provision may be continued in effect. All other employers are subject to the restrictions of this or the following sub-section (II-F-1 or II-F-2).

2. *New establishments or new departments in existing establishments.* An employer shall hire employees at the minimum of the properly established rate range for a given job classification: *Provided, however,* That an employee who has special ability and experience may be hired at a rate within the range corresponding to such ability and experience. But an employer may not within the first year of operation hire more than 50 percent of all the employees hired in his establishment, for job classifications for which rate ranges have been established, at rates in excess of the minima of such rate ranges for such job classifications. During all subsequent years of operation, no more than 25 percent of all the employees hired in his establishment for such job classifications may be hired at rates in excess of the minima of such rate ranges for such job classifications. In any establishment in which fewer than four employees are hired within the year, for such job classifications, one employee who has special ability and experience may be hired at a rate in excess of the minimum rate of the properly established rate range.

(E.O. 9250, 7 F.R. 7871)

Approved: September 7, 1944.

THEODORE W. KHEEL,  
Executive Director.

[F. R. Doc. 44-14380; Filed, Sept. 18, 1944;  
9:36 a. m.]

## TITLE 32—NATIONAL DEFENSE

### Chapter IX—War Production Board

#### Subchapter A—General Provisions

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W. P. B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

#### PART 903—DELEGATIONS OF AUTHORITY

[Directive 39]

#### PRIORITIES ACTION BY THE VETERANS ADMINISTRATION

§ 903.53 *Directive 39—(a) Rating of programmed material.* The Veterans Administration may assign preference ratings to the delivery of material to the extent authorized by a program determination of the Requirements Committee or an approved decision of a Division Requirements Committee of the War Production Board, as transmitted to the Veterans Administration by the War Production Board.

(b) *Form of assignment of ratings.* The Veterans Administration shall assign ratings under this directive by issuance of a legend substantially as shown below, to which may be added any further provisions which conform to War Production Board orders or regulations and which are authorized by the program determination or approved decision:

Under authority of the War Production Board, delivery of the material referred to herein is assigned a preference rating of ----- Application and extension of rating shall be made in accordance with Priorities Regulation No. 3.

The legend shall be endorsed on or attached to an appropriate instrument which shall show the name and address of the person to whom the rating is assigned and the quantity, dollar value and description of the items rated.

(c) *General provisions.* (1) The Veterans Administration may exercise the authority delegated in this directive through such of its officials as the Administrator of Veterans Affairs may determine.

(2) The Veterans Administration shall make to the Program Vice Chairman such monthly reports on the exercise of the authority granted by this directive as the Program Vice Chairman shall require from time to time.

(3) A true copy of every document on which a preference rating is assigned, pursuant to the provisions of this directive, shall be maintained by the Veterans Administration for inspection by representatives of the War Production Board at any time.

(d) *Exception.* Unless otherwise specifically provided in a Program Determination or approved decision, the Veterans Administration may not assign ratings to the delivery of any material for which application for rating or for specific authorization is required by an order



or regulation to be made on a form other than WPB-541.

Issued this 15th day of September 1944.

S. W. ANDERSON,  
Program Vice Chairman.

[F. R. Doc. 44-14308; Filed, Sept. 15, 1944;  
4:08 p. m.]

PART 903—DELEGATIONS OF AUTHORITY  
[Directive 38]

DISTRIBUTION OF AVIATION GASOLINE OF 73  
AND 80 OCTANE RATINGS FOR CIVILIAN AVIA-  
TION PURPOSES AIRCRAFT OR AIRCRAFT EN-  
GINES

Pursuant to the authority vested in me by Executive Order 9024 of January 16, 1942, Executive Order 9040 of January 24, 1942, and Executive Order 9126 of April 7, 1942, and in order to facilitate the efficient distribution and use of aviation gasoline as hereinafter defined, it is ordered:

§ 903.52 Directive No. 38. (a) The Administrator of Civil Aeronautics shall perform the functions and exercise the power, authority and discretion conferred upon the President by section 2 (a) of the Act of June 28, 1940 (Pub. No. 671, 76th Congress, 54 Stat. 676) as amended by the Act of May 31, 1941 (Pub. No. 89, 77th Congress, 55 Stat. 236) and as further amended by Title III of the Second War Powers Act, March 27, 1942 (Pub. No. 507, 77th Congress, 58 Stat. 176), with respect to the exercise of control over:

(1) The use of aviation gasoline by any consumer in aircraft or aircraft engines; and

(2) The sale, transfer, delivery or other disposition of aviation gasoline by any person to any consumer, and

(3) The sale, transfer, delivery or other disposition of aviation gasoline by any person to any person other than a consumer to the extent of requiring the delivery of such certificates or other evidence as the Administrator of Civil Aeronautics may prescribe as a condition to such sale, transfer, delivery, or disposition.

The Office of Price Administration shall retain the power, co-extensive with the Administrator of Civil Aeronautics (i) to exercise control until November 1, 1944, over the use of aviation gasoline by any consumer and over the sale, transfer, delivery or other disposal of aviation gasoline by any person to any consumer, or to any person other than a consumer to the extent of requiring the delivery of such coupons, certificates or other evidence as the Office of Price Administration may prescribe as a condition to such sale, transfer, delivery or disposition, and (ii) on and after November 1, 1944, to exercise control over the use of aviation gasoline by any consumer otherwise than in aircraft or aircraft engines and over the sale, transfer, delivery or other disposition of aviation gasoline by any person to any consumer for use otherwise than in aircraft or aircraft engines.

(b) The authority of the Administrator of Civil Aeronautics shall include the power to regulate or prohibit the sale, transfer or delivery or other disposition of aviation gasoline by any person who has acted in violation of any order or regulation prescribed by the Administrator of Civil Aeronautics in accordance with this directive.

(c) The authority delegated by this directive does not include, however, the power to limit or restrict the quantity or use of aviation gasoline obtainable by the Army, Navy, Marine Corps or Coast Guard of the United States, or by government agencies or other persons to the extent to which they acquire such gasoline for export to and use in any foreign country.

(d) The Administrator of Civil Aeronautics is authorized to perform the functions and exercise the authority delegated to him by paragraphs (a) and (b) hereof upon such conditions and to such extent as he shall deem necessary or appropriate in the public interest, to promote the national defense, to minimize the unessential use of aviation gasoline and, in accordance with the provisions of Executive Order 9125, to require such reports and the keeping of such records, subject to the Federal Reports Act of 1942, and to make such investigations as he may deem necessary or appropriate for the administration of the powers conferred by this directive.

(e) The Administrator of Civil Aeronautics may exercise the power, authority and discretion conferred upon him by this directive through such of his personnel and in such manner as he may determine, and may accept the services of other departments and officials of the government in carrying out the purposes of this directive.

(f) Nothing herein shall be construed to limit or modify any regulation, order or directive heretofore issued by or under the authority of the Chairman of the War Production Board and now outstanding except as specifically set forth in paragraph (h) below, nor to terminate nor limit the power of the Chairman of the War Production Board to issue further directives, regulations or orders regulating the delivery or use of aviation gasoline nor to affect the authority vested in the Chairman of the War Production Board pursuant to Executive Orders 9024, 9040, and 9125 to determine the relative importance of deliveries or uses and certify as to the preferential treatment to be accorded them with respect to the delivery or use of aviation gasoline.

(g) The Administrator of Civil Aeronautics will, from time to time, advise the Petroleum Administration for War as to the amount of aviation gasoline required for essential civilian aviation purposes and may receive from the Petroleum Administration for War allocations of aviation gasoline to meet such purposes.

(h) Notwithstanding the provisions of Directive 1, (§ 903.1) the Office of Price Administration shall have no authority

with respect to the exercising of distribution or rationing control over aviation gasoline as defined herein except to the extent stated in paragraph (a) hereof.

(i) The War Production Board may, from time to time, formulate and advise the Administrator of Civil Aeronautics as to policies and programs for the distribution and use of aviation gasoline and request reports on the Administrator's activities under this directive.

(j) For the purposes of this directive, the following definitions shall apply:

(1) "Aviation gasoline" means any finished petroleum product used in aircraft or aircraft engines, having a knock rating of 86 octane number or lower when tested by the ASTM Aviation Method (ASTM Designation D-614-43T) or a knock rating of 85 octane number or lower when tested by the ASTM Motor Method (ASTM Designation D-357-43T), including but not limited to aviation gasolines of 73 octane number and 80 octane number hereinafter defined as follows:

"73 Octane Number" shall include all gasoline which, after the addition of not more than 1.0 cc Tetraethyl Lead per U. S. gallon, has a knock rating of not less than 73 Octane Number by the ASTM Aviation Method (ASTM Designation D-614-43T) or a knock rating of not less than 72 Octane Number by the ASTM Motor Method (ASTM-D-357-43T), and which meets, in all other respects, the quality requirements imposed by Army-Navy Aeronautical Specification AN-F-23 and Amendment One dated October 19, 1943, for Grade 73 aircraft engine fuel.

"80 Octane Number" shall include all gasoline which, after the addition of not more than 2.00 cc Tetraethyl Lead per U. S. gallon, has a knock rating of not less than 80 Octane Number by the ASTM Aviation Method (ASTM Designation D-614-43T) or a knock rating of not less than 79 Octane Number by the ASTM Motor Method (ASTM-D-357-43T), and which meets, in all other respects, the quality requirements imposed by Army-Navy Aeronautical Specification AN-F-24 and Amendment One dated October 19, 1943, for Grade 80 aircraft engine fuel.

(2) "Person" includes any individual, partnership, association, business trust, government or government agency or any organized group of persons, whether incorporated or not.

(3) "Consumer" means any person acquiring aviation gasoline for use in an aircraft or aircraft engine.

(4) "Aircraft" means any contrivance now known or hereafter invented, used or designated for navigation of or flight in the air; and "aircraft engine" means an engine used or intended to be used for propulsion of aircraft.

Issued this 14th day of September 1944.

J. A. KRUG,  
Acting Chairman.

[F. R. Doc. 44-14359; Filed, Sept. 16, 1944;  
8:45 p. m.]



## Subchapter B—Executive Vice-Chairman

**AUTHORITY:** Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

## PART 1010—SUSPENSION ORDERS

[Suspension Order S-617]

PHILIP KAPLAN

Philip Kaplan of 1541 Pingree Avenue, Detroit, Michigan, is engaged in the business of general contracting and construction. Between January 1, and May 15, 1944, he did construction work on premises at 5636 Michigan Avenue, Detroit, Michigan, owned by Doris Lachman Jospey, to the extent of \$10,000. Philip Kaplan knew of Conservation Order L-41 and that it limited such construction to \$200 unless specially authorized by the War Production Board, and he knew that a special authorization had been given by the War Production Board and that it limited construction at these premises to \$3,500. His doing this construction constituted a wilful violation of Conservation Order L-41.

This violation of Conservation Order L-41 has diverted critical materials and facilities to uses not authorized by the War Production Board, and has hampered and impeded the war effort of the United States of America. In view of the foregoing, it is hereby ordered, that:

§ 1010.617 *Suspension Order No. S-617.* (a) Deliveries of material to Philip Kaplan, his successors or assigns, shall not be accorded priority over deliveries under any other contract or order and no preference rating shall be assigned, applied or extended to such deliveries by means of preference rating certificates, preference rating orders, general preference orders or any other order or regulation of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Philip Kaplan, his successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on September 15, 1944 and shall expire on December 15, 1944.

Issued this 8th day of September 1944.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 44-14310; Filed, Sept. 15, 1944;  
4:07 p. m.]

## PART 1109—MICA

[Conservation Order M-101, As Amended  
September 16, 1944]

The fulfillment of requirements for the defense of the United States has created

a shortage in the supply of mica for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 1109.1 *Conservation Order M-101—*  
(a) *Definitions.* (1) "Strategic mica" means:

(i) Muscovite block and film mica of heavy stained quality or better, but excluding (a) block mica smaller than grade #6 (or grade 1" x 1"); (b) scrap mica; (c) muscovite splittings used in making built-up mica.

(ii) Phlogopite (amber) block mica, including amber bookform splittings in grades (sizes) larger than #5, but excluding (a) block mica smaller than grade #6 (or grade 1" x 1"); (b) scrap mica; (c) other forms of amber splittings used in making built-up mica.

(iii) The remaining portion or remnant of muscovite block or film mica or phlogopite block mica resulting from fabrication if such remnant contains a usable area equivalent to grade #6 or larger.

(2) "Remnant mica" means mica having a usable area equivalent to Grade 6 or larger, resulting from fabrication of strategic muscovite mica, block or film, or strategic phlogopite block mica. The term does not include film obtained from splitting strategic block mica, or sorted from film.

**NOTE:** Subparagraphs (3) through (6), formerly (2) through (5), redesignated Sept. 16, 1944.

(3) "Scrap mica" means:

(i) That part of strategic mica remaining after a piece has been fabricated, if such remainder or remnant contains no piece or pieces equivalent to grade #6 or larger;

(ii) Mine waste, provided no grade #6 or larger pieces can be trimmed therefrom.

(4) "To fabricate" means to cut, stamp, punch or split to predetermined shape or dimensions or to change in any manner the form, shape or size of strategic mica, unless such fabricating is for the purpose of making emergency repairs or emergency replacements to prevent a threatened breakdown.

(5) "Product containing strategic mica" means a product into which fabricated strategic mica is assembled or inserted, such as a spark plug, condenser, or radio tube.

(6) "End-product" means a finished article, such as an airplane motor or radio set, of which the product containing strategic mica is a component part.

(b) *Restrictions on fabrication and causing fabrication of strategic mica.*

No person shall fabricate or cause another to fabricate any strategic mica without receiving specific authorization to do so from the War Production Board. However, there are three exceptions to this general rule:

(1) *Fabrication of mica for Schedule A products.* Any person may, without authorization from the War Production Board, fabricate or cause another to fabricate strategic mica of the particular type, quality and grade appearing in Schedule A for the manufacture of the products appearing opposite it, and any person may, without authorization from the War Production Board, use such fabricated strategic mica for the manufacture of those particular products.

(2) *Small order exemption from restrictions on fabrication.* Any person may, without authorization from the War Production Board, fabricate and deliver, or cause another to fabricate and deliver, strategic mica on any purchase order for which the fabricator will receive \$100 or less. However, no person shall fill more than two such purchase orders in any month for delivery to the same customer. The fabrication and use of all strategic mica acquired under this small order exemption shall be subject to the provisions of paragraph (c) of this order.

(3) *Fabrication of remnant mica.* Any person may without authorization of the War Production Board fabricate remnant mica regardless of size or quality for the manufacture of any products listed in Schedule A.

(c) *Additional restrictions on fabrication.* (1) No manufacturer of a product or end product containing strategic mica shall fabricate or cause another to fabricate strategic mica:

(i) Of a quality better than is necessary for the particular purpose to which the strategic mica will be put, unless otherwise authorized by the War Production Board.

(ii) For use where a substitution of non-strategic mica or other material is practicable, unless otherwise authorized by the War Production Board.

(2) No person shall, without authorization from the War Production Board, fabricate strategic mica of a grade (size) larger than is required to yield the desired pattern. This restriction does not apply to the fabricator of remnant mica (described in paragraph (b) (3) of this order) or to the fabrication of stained and heavy stained strategic mica for use in capacitors as explained in Schedule A, Note (4).

(d) *Application for authorization to fabricate strategic mica.* The manufacturer of the product containing strategic mica and the person, if any, who will fabricate strategic mica for such manufacturer, shall apply to the War Production Board by submitting an original and two copies of Form WPB-1085, properly filled out by the above-mentioned person or persons. If ap-



proval is granted, it will permit the person or persons named in the application to fabricate strategic mica and use such mica for the product described in the application.

(e) *Required demonstration of economic use of mica.* The War Production Board may at any time require satisfactory evidence from the manufacturer of any end product into which the product containing strategic mica is to be assembled or inserted, or from the manufacturer of the product containing strategic mica, that a lesser quantity or a lower quality of strategic mica could not be or could not have been used than the quantity or quality applied for, or that non-strategic mica or other materials could not be or could not have been used as a substitute for strategic mica.

(f) *Restrictions on delivery of unfabricated strategic mica.* No person (other than Metals Reserve Company or its agents) shall deliver any unfabricated strategic mica to any person (other than Colonial Mica Corporation, as agent of Metals Reserve Company), unless specifically authorized to do so by the War Production Board. No person other than Metals Reserve Company or its agents shall accept delivery of any unfabricated strategic mica unless specifically authorized to do so by War Production Board. This paragraph does not apply to any delivery of unfabricated strategic mica on any purchase order for which the seller will receive \$50 or less. No person shall fill more than two such purchase orders in any month for delivery to the same customer.

(g) *Applications for authorization to accept delivery of unfabricated strategic mica.* Application to the War Production Board for specific authorization to accept delivery of unfabricated strategic mica shall be made by letter, which need only state the source, quantity, grade (size) and quality of the unfabricated strategic mica which the applicant seeks permission to acquire. If the application is granted, the original authorization will be sent by the War Production Board to the person from whom delivery is requested and a copy of the authorization will be sent to the applicant. Authorization to deliver and accept delivery of unfabricated strategic mica must be obtained not only when delivery is to be made by one person to another person, including an affiliate or subsidiary, but also when delivery is to be made from one branch, division, or section of a single person to another branch, division or section of the same or any other person under common ownership or control, such as from a rifling shop or department to a fabricating shop or department owned by the same person.

(h) *Reports.* The following information should be furnished to War Production Board on Form WPB-3464:

(1) Any person fabricating 10 pounds or more of any block or film mica (stra-

tegic or non-strategic) in any one month, or who on the last day of any month possesses 100 pounds or more of such mica or of the value of \$100 or more, shall file the above form on or before the 15th day of the month following, stating his inventory, receipts and consumption of all such mica.

(2) Any person fabricating 10 pounds or more of any block or film mica (strategic or non-strategic) in any one month for use in more than one product shall on or before the 15th of the following month file the above form, stating the quantity of each grade and quality fabricated for each product.

(i) *Miscellaneous provisions—(1) Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(2) *Applicability of order.* The prohibitions and restrictions contained in this order shall apply to fabricating or causing another to fabricate strategic mica irrespective of whether such articles are manufactured pursuant to a contract made prior or subsequent to the date of this order. In so far as any other War Production Board order may have the effect of limiting or curtailing the fabri-

cation of strategic mica to a greater extent than herein provided, the limitations of such order shall be observed.

(3) *Communications to War Production Board.* All reports required to be filed hereunder, and all other communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Mica-Graphite Division, Washington 25, D. C., Reference: M-101.

(4) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance.

NOTE: The reporting provisions of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 16th day of September 1944.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

#### SCHEDULE A

NOTE: Schedule A added Sept. 16, 1944.  
The following schedule shows the types, grades and qualities of strategic mica which any person may, without War Production Board authorization, fabricate or cause another to fabricate for the manufacture of the products listed. However, fabrication and use of this strategic mica are subject to the restrictions of paragraph (c) of this order.

#### STRATEGIC MUSCOVITE MICA

[Grade and quality]

For use in—	Clear and slightly stained	Fair stained	Good stained	Stained	Heavy stained	Type A <sup>1</sup>	Type B <sup>2</sup>	Type C <sup>3</sup>
Capacitors <sup>4</sup> .....	6	6	6	4 and smaller.	All grades.	5 and smaller.	4 and smaller.	4 and smaller.
Electronic tubes.....	None	None	6	5 and smaller.	All grades.	6.....	5 and smaller.	5 and smaller.
Insulation-radio and radar, antenna and chassis, test instrument and other high frequency insulation (over 1,000 cycles).....	6	6	6	4 and smaller.	All grades.	6.....	4 and smaller.	4 and smaller.
Insulation-power and low frequency (1,000 cycles or less).....	None	None	6	4 and smaller.	All grades.	None	5 and smaller.	5 and smaller.
Magnetos (except capacitors).....	None	None	None	1 and smaller.	All grades.	None	None	All grades.
Appliances and equipment: armed forces, essential civilian and industrial other than above.....	None	None	None	None	All grades.	None	None	None.
Spark plugs.....	None	None	None	1 and smaller.	All grades.	None	None	All grades.

<sup>1</sup> (Type A) 1st quality domestic green, clear Argentine.  
<sup>2</sup> (Type B) 2d quality domestic green, 1st quality green Madras, 1st quality Canadian, Madras ruby A Q, semiclear Argentine, Madras ruby A Q B Q.  
<sup>3</sup> (Type C) 2d quality inferior, domestic, ruby and green; Argentine semistained; green Madras except 1st quality; 2d quality Canadian; Madras ruby B Q.  
<sup>4</sup> For capacitor use only, stained or heavy stained mica may be used one grade larger than required to cut the pattern

#### STRATEGIC PHLOGOPITE

For use in	Grade and quality
Spark plugs.....	High heat spark plug quality and all other types.
Soldering irons.....	Bookpacked splittings; block except high heat spark plug quality.
Appliances and equipment: armed services, essential civilian, and industrial other than spark plugs and soldering irons.	All except high heat spark plug quality.



**PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN**

[CMP Reg. 1, as Amended Feb. 2, 1944, Amdt. 4]

(1) Add the following to the list of directions at the end of the regulation:

- Direction 47—Acceptance of Orders for Steel for Delivery from Mill Stock.
- Direction 48—Purchases or Sales of Controlled Materials through an Intermediary.
- Direction 49—Acceptance of Orders and Shipment of Aluminum Ingot.
- Direction 50—Consolidation of Army Programs W-2 and W-4.
- Direction 51—War Department Small Orders.
- Direction 52—Application for Permission to Use Excess Materials.
- Direction 53—Controlled Materials Purchased for MRO in Foreign Countries.
- Direction 54—Deferred Allotments.

(2) Add the following to the list of interpretations at the end of the regulation:

- Interpretation 23—Definition of Steel.
- Interpretation 24—Records of Exporters.

Issued this 16th day of September 1944.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 44-14331; Filed, Sept. 16, 1944; 11:44 a. m.]

**PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN**

[CMP Reg. 1, Direction 35, as Amended Sept. 16, 1944]

**JIGS, DIES, MOLDS, FIXTURES AND SPECIAL TOOLING**

The following direction is issued pursuant to CMP Reg. 1:

(a) "Special tooling" for purposes of this direction means any jig, die, mold, fixture or other tooling of a type which has only one special use, is not a standard product and is not produced for general sale by the manufacturer of the tooling.

(b) A person who has the right to buy controlled material for MRO (maintenance, repair and operating supplies) under any regulation or order of the War Production Board, such as CMP Regulation No. 5 or orders in the "P" or "U" series, may use the allotment number or symbol assigned by the regulation or order to buy controlled material needed to make special tooling for his own use as MRO.<sup>1</sup> He may also use the allotment number or symbol assigned to him for MRO to buy the controlled material needed to make the tooling and turn it over to the toolmaker or he may order it for direct shipment to the toolmaker.

(c) Even though tooling needed for MRO is a B product the toolmaker may accept controlled material from his customer to manufacture special tooling for him.

(d) This direction is a special exception to the general rule stated in paragraph (g) (3) of CMP Regulation No. 1 (as explained in Interpretation No. 16) which prohibits a customer from furnishing material to the manufacturer of a B product and prohibits a manufacturer of a B product from accepting it from his customer.

<sup>1</sup> The term "his own use as MRO" means the use of special tooling in the person's manufacturing operations, even if the special tooling will belong to his customer.

(e) Any person who buys special tooling under this direction must charge the cost of the controlled material to his expenditures for MRO for the purpose of complying with the quantity restrictions imposed by the regulation or order under which he is operating (as, for example, paragraph (f) of CMP Regulation No. 5). Where a manufacturer buys tooling, or material for tooling, and the tooling will belong to his customer, the manufacturer need not charge his MRO quota, but the customer must charge his.

(f) In those cases where a regulation or order permits a person operating under it to use the allotment number or symbol assigned to deliveries of MRO in buying minor capital additions (as, for example, paragraph (b) (3) of CMP Regulation No. 5), the above procedure may be used in acquiring special tooling which will be treated as minor capital items.

(g) A manufacturer of special tooling need not charge his allotment account with the quantity of controlled materials delivered to him by his customers under this direction.

(h) This direction does not supersede or change the provisions of Direction No. 1 to CMP Regulation No. 5 which explains how to obtain aluminum for patterns.

Issued this 16th day of September 1944.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 44-14332; Filed, Sept. 16, 1944; 11:44 a. m.]

**PART 3263—CELLULOSE ESTERS**

[Allocation Order M-326, Revocation]

Section 3263.1 (Allocation Order M-326) is hereby revoked. This revocation does not affect any liabilities incurred under the order.

Cellulose ester flake is subject to allocation under General Allocation Order M-300 as an Appendix A material, subject to Schedule 50 issued simultaneously with this revocation.

Specific authorizations heretofore issued under Order M-326 are effective under Order M-300, Schedule 50, but in the case of deliveries are limited in duration as if originally issued under that schedule.

Issued this 16th day of September 1944.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 44-14327; Filed, Sept. 16, 1944; 11:43 a. m.]

**PART 3288—PLUMBING AND HEATING EQUIPMENT**

[Limitation Order L-23-c, as Amended Sept. 16, 1944]

**DOMESTIC COOKING APPLIANCES AND DOMESTIC HEATING STOVES**

The fulfillment of requirements for the defense of the United States has created a shortage of materials used in the manufacture of domestic cooking appliances and domestic heating stoves for defense, for private account, and for export; and the following order is deemed necessary

and appropriate in the public interest and to promote the national defense:

§ 3288.66 Limitation Order L-23-c—  
(a) Definitions. For the purpose of this order:

(1) "Domestic cooking appliances" means the following non-electric appliances: Gas ranges, cook stoves and hot plates for household use; coal and wood ranges and cook stoves for household use; fuel oil ranges, cook stoves, table stoves and hot plates for household use; combination ranges (including dual oven types, ranges with built-in kitchen heaters, and bungalow types) for household use; camp and trailer stoves for cooking purposes; fuel oil conversion range burners; and drum and portable ovens.

(2) "Domestic heating stoves" means any device (except electric) for the direct heating of the space in and adjacent to that in which the device is located, designed for use without heat distribution pipes or ducts as integral parts of such heating devices, and includes but is not limited to circulating, radiant and portable heaters; trailer and caboose stoves; and laundry stoves (except water jacketed and permanently built-in coil types). Domestic heating stoves shall not include floor or wall furnaces.

(3) "Stove" means any domestic cooking appliance or domestic heating stove.

(4) "Accessories" means aprons, high closets, high shelves, clocks, lights, timers, broilers not using the oven burner (except for combination ranges), broiler pans other than iron, steel or aluminum, cover-alls and any other instruments, attachments, or appurtenances (except top-burner lighters, thermostats, thermometers, top work space and storage compartments) for domestic cooking appliances not essential to any of the following three major cooking operations: Top burner cooking, oven baking and oven broiling.

(5) "Steel coal or wood range or cook stove" means a coal or wood range or cook stove in which the total weight of steel is 20% or more of the total weight of metal in the unit.

(6) "Base period" means the twelve month period from July 1, 1940 to June 30, 1941.

(b) General restrictions on production. (1) [Deleted Aug. 29, 1944.]

(2) No person shall manufacture, fabricate or assemble any stove except to the extent authorized by the War Production Board on Form GA-1850. (Application for authorization should be made in accordance with paragraph (b) (3)). The War Production Board will authorize limited production quotas so that the aggregate production of each type of stove will not exceed the percentage of the base period production specified in Schedule A. Production will not be authorized in any plant where such production, or labor requirements therefor, will interfere with war production in that plant, or in any other plant located in the same area.

(3) A person wishing to make stoves under paragraph (b) (2), should apply for authorization by letter addressed to the War Production Board, Plumbing and Heating Division, Washington 25,



D. C., reference L-23-c. This letter should state the proposed production in units of each model per quarter. Where the applicant will need controlled materials in order to produce the equipment, the letter requesting authorization should be accompanied by an application on form CMP-4B for the controlled materials.

(c) *Special restrictions on production.* In addition to the restrictions contained in paragraph (b), all of the following special restrictions must also be complied with:

(1) [Deleted Aug. 29, 1944.]

(2) No person shall manufacture, fabricate or assemble any accessories or incorporate them into any stove except that those non-electric accessories, not including cover-alls, which were in his stock in a completely assembled and finished condition on June 7, 1944, may be used in the production of stoves.

(3) No thermostats for use with stoves shall be produced.

(4) [Deleted Aug. 29, 1944.]

(5) No person shall use any "bright work", "bright finish", metal finish or trim containing copper, nickel or chrome in the production of stoves.

(d) *Exceptions.* (1) The restrictions of this order do not apply to the production of repair and replacement parts. However, no person shall produce repair or replacement parts in excess of the quantity required to maintain a practicable minimum working inventory.

(2) [Deleted Aug. 29, 1944.]

(3) [Deleted Aug. 29, 1944.]

(e) *Reports.* Manufacturers of stoves shall report on or before the tenth day of each month on Form WPB-3249. This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(f) *Applicability of regulations.* All persons and transactions affected by this order are subject to all applicable provisions of the regulations of the War Production Board, as amended from time to time.

(g) *Applicability of other orders.* Insofar as any other orders heretofore or hereafter issued by the War Production Board limit the use of any material in the production of stoves to a greater extent than the restrictions imposed by this order, the restrictions of such other order shall govern, unless otherwise specified therein.

(h) *Exceptions and appeals.*—(1) *Production under Priorities Regulation 25.* Any person who wants to manufacture, fabricate or assemble more stoves than he has been authorized to make on Form GA-1850 (including a person who has no authorization) may apply for permission to do so under Priorities Regulation 25. He may still, of course, apply for authorization under paragraph (b) (3) if he desires. Application may also be made under Priorities Regulation 25 by any person for permission to manufacture, fabricate or assemble any accessories or to produce thermostats for use with stoves. Accessories made un-

der Priorities Regulation 25 authorization may be assembled or incorporated into stoves.

(2) *Appeals.* Any appeal from the provisions of this order, other than the restrictions of paragraphs (b) (2), (c) (2) or (c) (3), should be filed on Form WPB-1477 with the field office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal relates. No appeals should be filed from the restrictions of paragraphs (b) (2), (c) (2) or (c) (3).

(i) *Communications.* All communications concerning this order, except appeals, shall unless otherwise directed, be addressed to the War Production Board, Plumbing and Heating Division, Washington 25, D. C., reference L-23-c.

(j) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 16th day of September 1944.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

#### SCHEDULE A

	Percentage of total unit production by all pro- ducers in the base period (July 1, 1940 to June 30, 1941)
Domestic cooking appliances:	
1. Gas ranges and cook stoves.....	40
2. Combination, bungalow and kitchen heater ranges.....	40
3. Coal and wood ranges and cook stoves.....	100
4. Fuel oil ranges and cook stoves.....	40
5. Gas hot plates.....	75
6. Portable and drum ovens.....	75
Domestic heating stoves:	
1. Gas fired heaters.....	75
2. Oil fired heaters.....	40
3. Coal and wood heaters.....	100
4. Coal and wood laundry stoves.....	100

SCHEDULE B: Deleted Aug. 29, 1944.

INTERPRETATION 1: Superseded June 7, 1944.

INTERPRETATION 2: Revoked August 29, 1944.

#### INTERPRETATION 3

##### CHROMIUM PLATING FOR REFLECTOR PLATES

The restrictions contained in paragraph (c) (5) do not prohibit the use of chromium plated steel for heat reflectors as a functional part of radiant heaters, where no suitable substitute material has been found and where the use of such reflectors is necessary to avoid high floor temperature and to decrease fire hazard. [Issued July 12, 1944.]

[F. R. Doc. 44-14323; Filed, Sept. 16, 1944;  
11:43 a. m.]

#### PART 3290—TEXTILES, CLOTHING AND LEATHER

[General Conservation Order M-310, General Direction 8]

#### RELEASE OF CERTAIN SCHEDULE B RESTRICTIONS DURING OCTOBER, 1944

The following direction is issued pursuant to General Conservation Order M-310:

During October 1944, sole cutters shall not be bound by Blocks IIA and IIB of Schedule B of General Conservation Order M-310 in cutting bends, to the extent of one-third of the total number of bends cut by them during the months of June, July and August, 1944.

Issued this 16th day of September 1944.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 44-14326; Filed, Sept. 16, 1944;  
11:43 a. m.]

#### PART 3290—TEXTILE, CLOTHING AND LEATHER

[General Conservation Order M-385, Interpretation 2]

The following interpretation is issued with respect to General Conservation Order M-385:

1. Q. Are aprons, pinafores, smocks and similar garments included within the term "dresses" in Groups 1 and 2 of the preference rating schedule of Supplement II?

A. No.

2. Q. Are sport shirts included within the term "shirts: business men's" in Groups 11 and 12 of the preference rating Schedule of Supplement II?

A. No. Only shirts with neckband, with or without collar, and with long sleeves are included within the term. The rating may not be used to get material to make sport shirts or short sleeved shirts.

3. Q. Under the provisions of paragraph (e) as to equitable distribution, is a 1943 customer entitled to a pro rata share of the manufacturer's production of items other than items which the customer bought in 1943?

A. Yes. Any person who purchased from the manufacturer in 1943, regardless of what he purchased, is entitled to a pro rata share of the Manufacturer's total production of each item for which the rating is used. (See question 12, Interpretation No. 1.) For example, even though a retailer in 1943 purchased from the manufacturer only shirts, he is entitled to a pro rata share of pajamas produced by the manufacturer, if the manufacturer uses the rating assigned by this order to get material to make pajamas. The retailer is entitled to his pro rata share of each quarter's production calculated on the basis of the percentage that the retailer's total purchases from the manufacturer in the corresponding quarter of 1943 is of the manufacturer's total sales during that quarter of 1943.

Issued this 16th day of September 1944.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 44-14330; Filed, Sept. 16, 1944;  
11:44 a. m.]



## PART 3293—CHEMICALS

[Supplementary Allocation Order M-326-b,  
Revocation]

CELLULOSE ACETATE AND CELLULOSE ACETATE  
BUTYRATE MOLDING POWDER

Section 3293.453 *Supplementary Allocation Order M-326-b* is hereby revoked. This revocation does not affect any liabilities incurred under the order.

Cellulose acetate and cellulose acetate butyrate molding powder (except scrap) are subject to allocation under General Allocation Order M-300 as Appendix A materials, subject to Schedule 52 issued simultaneously with this revocation.

Specific authorizations heretofore issued under Order M-326-b are effective (except as to scrap) under Order M-300, Schedule 52, but in the case of deliveries are limited in duration as if originally issued under that schedule.

Issued this 16th day of September 1944.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 44-14329; Filed, Sept. 16, 1944;  
11:44 a. m.]

## PART 3293—CHEMICALS

[General Allocation Order M-300,  
Schedule 50]

## CELLULOSE ESTER FLAKE

§ 3293.1050 *Schedule 50 to General Allocation Order M-300—(a) Definition.* "Cellulose ester flake" means material manufactured by the treatment of cellulose with acetic anhydride, with or without other reactants. The term shall include cellulose ester flake of all grades and kinds, in primary form, including cellulose acetate flake, cellulose acetate butyrate flake, and cellulose acetate propionate flake, but not including plasticized cellulose esters.

(b) *General provisions.* (1) Cellulose ester flake is subject to allocation under General Allocation Order M-300 as an Appendix A material. The initial allocation date is July 1, 1943, when cellulose ester flake was first put under allocation by Order M-326 (revoked). The allocation period is the calendar month.

(2) The small order exemption is 100 pounds per person per month. Small order quantities may be received in addition to allocated quantities for experimental use and also to complete current jobs for which cellulose ester flake has been allocated, notwithstanding Order M-300 (paragraph (p) (2)). There shall be no limitation on duration of authority for use under this schedule, notwithstanding Order M-300 (paragraph (v)).

(c) *Authorizations under M-326.* Specific authorizations heretofore issued under Order M-326 are effective under this schedule, but in the case of deliveries are limited in duration as if originally issued under this schedule.

(d) *Suppliers' applications on WPB-2946.* Each supplier seeking authoriza-

tion to deliver shall file application on Form WPB-2946 (formerly PD-601). Filing date is the 15th day of the month before the requested allocation month. File separate sets of forms for each type of flake, such as, cellulose acetate, cellulose acetate butyrate, and cellulose acetate propionate. Send three certified copies to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-50. The unit of measure is pounds. An aggregate quantity may be requested, without specifying customers' names, for delivery on exempt small orders. Fill in Table II.

(e) *Customers' applications on Form WPB-2945.* Each person seeking authorization to use or accept delivery shall file application on Form WPB-2945 (formerly PD-600). Filing date is the 10th day of the month before the requested allocation month. File separate sets of forms for each supplier and for each type of flake, such as cellulose acetate, cellulose acetate butyrate, and cellulose acetate propionate. Send three certified copies to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-50, and one copy (reverse side blank) to the supplier. The unit of measure is pounds. Fill in Column 3 in terms of the following:

Yarn	Sheeting .003" and above
Staple fiber	Other primary product (specify)
Lacquer or emulsion	Export (as flake)
Photographic film	Inventory (as flake)
Molding powder	Resale (as flake)
Rods or tubes	
Sheeting below .003"	

Specify end use in Column 4 as required by paragraph (11-a) of Appendix E of Order M-300. Fill in other columns of Table I, and fill in Tables II and III, as indicated. Leave Tables IV and V blank.

(f) *Budget Bureau approval.* The above reporting requirements have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(g) *Communications to War Production Board.* Communications concerning this schedule shall be addressed to War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-50.

Issued this 16th day of September 1944.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 44-14324; Filed, Sept. 16, 1944;  
11:43 a. m.]

## PART 3293—CHEMICALS

[General Allocation Order M-300, Schedule 51]

## CELLULOSE ESTER SHEETS, RODS AND TUBES

§ 3293.1051 *Schedule 51 to General Allocation Order M-300—(a) Definitions.* (1) "Cellulose plastics" means plasticized cellulose ester flake, as such flake is defined in Schedule M-300-50, in the following forms:

(i) First grade rod and tube (unfabricated) produced by the wet extrusion process, but not including rod and tube

produced by extrusion from molding powder.

(ii) First grade cake sheet (unfabricated), not including pieces having an area of less than two square feet, produced as a by-product of normal slicing, polishing or fabricating operations.

(iii) First grade continuous sheeting (unfabricated), not including butt rolls having less than 1 inch of material on the core, and not including trim rolls less than 4 inches in width, produced as a by-product of normal slitting or trimming operation.

(b) *General provisions.* (1) Cellulose plastics are subject to the provisions of General Allocation Order M-300 as Appendix B materials. The initial allocation date is July 1, 1943, when cellulose plastics first became subject to allocation under Order M-326-a (revoked). The allocation period is the calendar month.

(2) The small order exemption without use certificate is 50 lbs. of sheets, 50 lbs. of rods and 50 lbs. of tubes per person per month. Small order quantities may be received in addition to allocated quantities for experimental use and also to complete current jobs for which cellulose plastics has been allocated, notwithstanding Order M-300 (paragraph (p) (2)).

(c) *Authorizations under M-326-a.* Specific authorizations heretofore issued under Order M-326-a are effective under this schedule, but in the case of deliveries are limited in duration as if originally issued under this schedule.

(d) *Suppliers' applications on WPB-2947.* Each supplier seeking authorization to use or deliver shall file application on Form WPB-2947 (formerly PD-602). Filing date is the 10th day of the month before the proposed delivery month. File separate sets of forms for sheets, rods and tubes respectively. Send three certified copies to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-51. The unit of measure is pounds. An aggregate quantity may be requested, without specifying customers' names, for delivery on uncertified exempt small orders. Fill in Table II.

(e) *Military emergency shipments.* A supplier may make application on Form WPB-2947 for authorization to expedite shipments against anticipated emergency war orders from the Armed Services or their contractors. Column 1 shall read "Emergency shipments against Government contracts". Column 4 shall show the aggregate quantity of the proposed shipments. From the quantity allocated on this application the supplier may make such shipments without further authorization. Subsequently, on the first WPB-2947 form filed after the end of the month, the supplier shall report his emergency shipments by listing in the usual manner the customers, end uses and quantities. An entry shall be made in Column 7 for each such customer to show that the material was expedited and that shipment was made in the preceding month, as; for example, "Expedited—May." In the case of emergency shipments to contractors, sup-



pliers must obtain written or telegraphic certification from the Armed Service involved, stating that an emergency exists. An unused material in the "emergency pool" at the end of the month shall be returned to inventory.

(f) *Certified statements of use.* Each person placing orders for delivery of more than the small order exemption quantities of cellulose plastics per month in the aggregate from all suppliers, shall furnish each supplier with a certified statement of proposed use, in the form prescribed in Appendix D of Order M-300. End use may be specified as "aircraft glazing, Army —" (specify contract number), "gas mask lenses, Army —" (specify contract number), or in terms of any other specified product. Proposed use may also be specified as "for resale on further authorization", "for resale on exempt small orders", or "for export" (specify destination and export license number).

(g) *Budget Bureau approval.* The above reporting requirements have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(h) *Communications to War Production Board.* Reports and communications concerning this schedule shall be addressed to War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-51.

Issued this 16th day of September 1944.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 44-14325; Filed, Sept. 16, 1944;  
11:43 a. m.]

#### PART 3293—CHEMICALS

[General Allocation Order M-300, Schedule 52]

##### CELLULOSE ACETATE AND CELLULOSE ACETATE BUTYRATE MOLDING POWDER

§ 3293.1052 *Schedule 52 to General Allocation Order M-300—(a) Definition.* "Acetate molding powder" means both cellulose acetate molding powder and cellulose acetate butyrate molding powder, produced from cellulose ester flake. The definition of cellulose ester flake appears in Schedule M-300-50. The term "acetate molding powder" does not include scrap.

(b) *General provisions.* (1) Acetate molding powder is subject to allocation under General Allocation Order M-300 as an Appendix A material. The initial allocation date is July 1, 1943, when this material was first put under allocation by Order M-326-a (subsequently amended to transfer acetate molding powder to M-326-b). The allocation period is the calendar month.

(2) The small order exemption is 100 pounds of acetate molding powder per person per month. Small order quantities may be received in addition to allocated quantities for experimental use and also to complete current jobs for which acetate molding powder has been allocated, notwithstanding Order M-300

(paragraph (p) (2)). There shall be no limitations on duration of authority for use under this schedule, notwithstanding Order M-300 (paragraph (v)).

(3) Any molder specifically authorized to use acetate molding powder may furnish the material to another molder or having actually received formal authorization, may direct the supplier to deliver to another molder, for processing pursuant to toll agreement; provided, that he instructs the other molder to use the material for the exact purpose for which the molder has been authorized to use it. The molder who is to use the material may accept and use it pursuant to these instructions without the specific authorization of the War Production Board.

(c) *Authorizations under M-326-b.* Specific authorizations heretofore issued under Order M-326-b are effective (except with respect to scrap) under this schedule, but in the case of deliveries are limited in duration as if originally issued under this schedule.

(d) *Suppliers' applications on WPB-2946.* Each supplier seeking authorization to deliver shall file application on Form WPB-2946 (formerly PD-601). Filing date is the 20th day of the month before the requested allocation month. File separate sets of forms for cellulose acetate molding powder and cellulose acetate butyrate molding powder. Send four copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-52. The unit of measure is pounds. An aggregate quantity may be requested, without specifying customers' names, for delivery on exempt small orders. Fill in Table II.

(e) *Customers' applications on Form WPB-2945.* Each person seeking authorization to use or accept delivery shall file application on Form WPB-2945 (formerly PD-600). Filing date is the 15th day of the month before the requested allocation month. File separate sets of forms for each supplier and for cellulose acetate molding powder and cellulose acetate butyrate molding powder. Send four copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-52, and one copy (reverse side blank) to the supplier. The unit of measure is pounds. Fill in Column 3 in terms of the following.

Thread protector  
Buttons  
Combs  
Other primary product (specify)  
Export (as molding powder)  
Inventory (as molding powder)  
Resale (as molding powder)

Specify end use in Column 4 as required by paragraph 11-a of Appendix E of Order M-300. Fill in other columns of Table I, and fill in Tables II and III, as indicated. Leave Tables IV and V blank.

(f) *Budget Bureau approval.* The above reporting requirements have been approved by the Bureau of the Budget in accordance with Federal Reports Act of 1942.

(g) *Communications to War Production Board.* Communications concern-

ing this schedule shall be addressed to War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-52.

Issued this 16th day of September 1944.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 44-14334; Filed, Sept. 16, 1944;  
11:44 a. m.]

#### PART 3293—CHEMICALS

[Supplementary Allocation Order M-326-a, Revocation]

##### CELLULOSE ESTER SHEETS, RODS AND TUBES

Section 3293.452 *Supplementary Allocation Order M-326-a* is hereby revoked. This revocation does not affect any liabilities incurred under the order.

Cellulose ester sheets, rods and tubes are subject to allocation under General Allocation Order M-300 as Appendix B materials subject to Schedule 51 issued simultaneously with this revocation.

Specific authorizations heretofore issued under Order M-326-a are effective under Order M-300, Schedule 51, but in the case of deliveries are limited in duration as if originally issued under that schedule.

Issued this 16th day of September 1944.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 44-14328; Filed, Sept. 16, 1944;  
11:44 a. m.]

#### PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-91, Direction 1, as Amended Sept. 16, 1944]

##### INVENTORIES OF DUCK IN THE HANDS OF DISTRIBUTORS OR USERS

The following amended direction is issued pursuant to Conservation Order M-91:

Each person, other than a United States Government agency or a producer of duck, who has in inventory more than 500 yards of Army Duck, Numbered Duck, Flat Duck or Shelter Tent Duck, shall, not later than September 16, 1944, report in writing to the War Production Board, Textile, Clothing and Leather Bureau, Washington 25, D. C., his holdings of such fabrics, stating the number of yards of each type and construction he has. He may not use any part of such inventory, except for incorporation into products to fill orders of the Army, Navy, Maritime Commission or War Shipping Administration, nor may he sell or deliver any part of such inventory, except to the Army or Navy, unless he has offered his entire inventory of such fabrics for sale to the Army or Navy and has received written rejections of his offer from both the Army and Navy, or unless he is expressly authorized in writing by the War Production Board to use or dispose of all or part of such inventory. However, manufacturers of rubber tires and other rubber products may use their stocks of flat duck for liners, shoe manufacturers may use



their stocks of flat duck in the manufacture of shoes, manufacturers of horse collars may use their stocks of numbered and flat duck in the manufacture of horse collars, manufacturers of laminated plastics material may use their stocks of flat duck and Army duck in the manufacture of such material, manufacturers of Vee type belts may use their stocks of Army duck in the manufacture of such belts, railroad companies may use their stocks for locomotive cab curtains, harvesting machine manufacturers may continue to use their stocks, and other persons requiring filters listed in part III of Schedule A of Order M-91 may continue to use their stocks of numbered duck for these purposes; but they must, nevertheless, report their inventory by September 16, 1944.

NOTE: The reporting requirements of this direction have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

Issued this 16th day of September 1944.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 44-14356; Filed, Sept. 16, 1944;  
3:45 p. m.]

#### PART 1075—CONSTRUCTION

[Conservation Order L-41, as Amended Aug. 19, 1944, Amdt. 1]

Section 1075.1 Conservation Order L-41 is hereby amended in the following respects:

1. By deleting paragraph (c) (11) and substituting the following:

(11) \$1,000 for a building or group of buildings which will be used directly for a sewage system and owned by a sewage system operator as defined in Order P-141.

2. By deleting from Schedule B, paragraph 3, the following: "(other than buildings)."

3. By deleting from Schedule B, paragraph 5, the following: "(other than buildings)."

4. By deleting from Schedule C the following:

Building used directly in furnishing elec- tric, gas, water cen- tral steam heating, or wire communica- tions services to the public.	WPB-2774 Washington, D. C.	WPB,
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Issued this 18th day of September 1944.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 44-14392; Filed, Sept. 18, 1944;  
11:18 a. m.]

#### PART 3286—MISCELLANEOUS MINERALS

[Conservation Order M-199, as Amended Sept. 18, 1944]

##### SILVER

The fulfillment of the requirements for the defense of the United States has created a shortage in the supply of silver

for defense, for private account, and for export, and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

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- Par.
- (a) Definitions.
  - (b) Restriction upon sale or delivery of silver by suppliers.
  - (c) Restrictions upon sale or delivery of silver by manufacturers.
  - (d) Restrictions upon purchase, acceptance of delivery, and processing of foreign silver by manufacturers.
  - (e) Restrictions upon purchase, acceptance of delivery, and processing of Treasury silver by manufacturers.
  - (f) Authorization to purchase Treasury silver from the United States.
  - (g) (1) Restrictions upon the purchase, acceptance of delivery, and processing of domestic silver for List B uses.
  - (2) Quota restrictions under toll agreements.
  - (3) Assignability of quotas.
  - (4) No quota restrictions on domestic silver for other than List B uses.
  - (h) Special exception as to domestic silver.
  - (i) Special directions as to distribution of foreign, Treasury, and domestic silver.
  - (j) Restrictions on holding of scrap silver.
  - (k) Fungibility of silver stocks recognized.
  - (l) Use certificate.
  - (m) Exceptions.
  - (n) Limitations of inventories.
  - (o) Reports.
  - (p) Miscellaneous provisions.

§ 3286.51 Conservation Order M-199—(a) Definitions. For the purposes of this order:

(1) "Silver" means silver bullion, semi-fabricated forms of silver, silver scrap and other secondary forms of silver, and any alloy, compound, salt, or mixture containing more than one-half of one percent of silver by weight. The term does not include alloyed gold produced in accordance with U. S. Commercial Standards CS 51-35 and CS 67-38. The term includes, however, all metal combinations, such as rolled gold plate or gold filled stock, containing more than one-half of one per cent of silver by weight exclusive of the silver content of the karat gold, if any. The term does not include finished silver products except where such products after processing are to be used in a form or style or for a purpose different from that for which they were originally designed or intended. For example, a finished piece of silverware, or jewelry, or a silver coin may be delivered, accepted, and used without further processing for the purpose for which originally designed or intended without restriction under this order. However, if such articles are to be melted down or otherwise processed for different uses, then they must be treated for the purposes of this order as "silver" (as distinguished from finished products) of the particular kind (foreign, domestic, or Treasury) from which the product was originally made. Articles containing silver which have been discarded from the use for which they were originally designed or intended because of obsolescence, defects, or other reasons shall be deemed to be scrap or secondary silver and not finished silver products. Silver findings, including chain, are considered finished silver products. The following items, as well as all other primary

and semi-fabricated forms and partially fabricated parts, containing more than  $\frac{1}{2}$  of 1 per cent of silver by weight, are not considered finished silver products but are considered silver: ingots, bars, rods, shot, grain, leaf, powder, sheet, wire, strip, tubing, circles, anodes, salts, compounds, mixtures, brazing alloys, and solders. Silver salts, compounds, or mixtures, which are prepared for sale at retail for the personal use of the purchaser and not for use in the manufacture of a product or in a process for commercial sale, are considered finished silver products.

(2) "Domestic silver" means any silver which has been produced since July 1, 1939, from mines situated inside of the territorial limits of the United States, its territories and possessions.

(3) "Treasury silver" means any silver which has been held or owned by the United States and has been sold pursuant to the provisions of Public Law 137, approved July 12, 1943.

(4) "Foreign silver" means any silver except that which is either domestic silver or Treasury silver. Scrap generated by manufacturers from the processing of domestic silver or Treasury silver shall also be considered to be foreign silver if it does not remain in the ownership of the manufacturer whose processing operations produced it: *Provided, however*, That domestic silver scrap or Treasury silver scrap produced by suppliers in semi-fabricating operations may be sold by such suppliers to manufacturers as domestic silver casting metal or Treasury silver casting metal.

(5) "Inventory" of a person includes the inventory of affiliates and subsidiaries of such person, and the inventory of others where such inventory is under the control of or under common control with or available for the use of such person.

(6) "Manufacturer" means any person who uses silver by incorporating it physically in the finished products or parts thereof which he manufactures or who uses or consumes silver in any manufacturing, testing, laboratory, educational, therapeutic, plating, or repairing process. The term shall include any person who furnishes silver to a manufacturer under toll agreement to be processed and returned in semi-processed or finished form.

(7) "Supplier" means any person regularly engaged in the business of importing, smelting, or refining silver, or in the business of selling silver to manufacturers and other suppliers. The term includes any person who may import, smelt, or refine silver for his own use as a manufacturer.

(8) "Put into process" means the first change by the manufacturer in the form of the material from that form in which it was received by him. Putting into process does not include minor initial operations such as marking and does not include any alloying, shearing, cutting, trimming, or other operation unless such initial operations are part of a continuous fabricating or assembling operation. Nor does it include operations such as inspection and testing, nor seg-



regation or earmarking for a specific job or operation. The term also does not include the reclaiming and reforming of scrap.

(9) "Process" means cut, draw, machine, stamp, melt, mix, compound, cast, forge, roll, turn, spin, or otherwise shape or change in form or chemical composition. It also means assemble. The term does not include sand-bobbing, buffing, or polishing an assembled article.

(10) The term "assemble" shall not be deemed to include the putting together of an article after delivery to a sales outlet or consumer in knock-down form pursuant to an established custom. The term "assemble" shall also not be deemed to include adding finished parts to an otherwise finished article when the placing of one or more finished parts or the size or type of one or more finished parts is determined by the use to which the ultimate consumer is to put the article. In all other cases, the term "assemble" shall be deemed to include adding parts, whether of silver or of any other material, to an article of silver, where such article is not deemed complete and ready for immediate sale or use until such parts have been added, including adding gems, stones, or glass jewels or beads to articles or parts of silver, and adding brushes, combs, knives, forks, or other utensils to backs or handles of silver.

(11) The term "deliver" shall not be deemed to include a redelivery of silver to the owner thereof, who is a manufacturer, by a person to whom such owner delivered such silver to be alloyed or processed and returned to such owner for further processing; nor does it include the delivery under the same circumstances by the owner to the person who alloys or processes the silver for the owner.

(12) The term "accept delivery" shall not be deemed to include acceptance of delivery of silver by the owner thereof, who is a manufacturer, from a person to whom such owner delivered such silver to be alloyed or processed and returned to such owner for further processing; nor does it include acceptance of delivery under the same circumstances from the owner by the person who alloys or processes the silver for the owner.

(b) *Restrictions upon sale or delivery of silver by suppliers.* (1) No supplier shall sell or deliver any kind of silver (foreign, Treasury, or domestic) except to

(i) Another supplier; or  
(ii) A manufacturer; or  
(iii) The United States; or  
(iv) Metals Reserve Company or any other corporation organized under section (5) (d) of the Reconstruction Finance Corporation Act as amended.

(2) No supplier shall sell or deliver foreign silver to a manufacturer except to fill orders for uses on List A.

(3) No supplier shall sell or deliver Treasury silver to a manufacturer except to fill orders for uses on List C.

(4) No supplier shall sell or deliver any kind of silver (foreign, Treasury, or domestic) to any person if he knows or has reason to believe such silver is to

be received or used in violation of the terms of this order.

(c) *Restrictions upon sale or delivery of silver by manufacturers.* No manufacturer shall sell or deliver any kind of silver (foreign, Treasury, or domestic) except to:

(1) A supplier; or  
(2) The United States; or  
(3) Metals Reserve Company or any other corporation organized under section (5) (d) of the Reconstruction Finance Corporation Act as amended.

(d) *Restrictions upon purchase, acceptance of delivery, and processing of foreign silver by manufacturers—*(1) *Uses on List A.* On and after July 29, 1943, no manufacturer shall purchase, accept delivery of, put into process, or process any foreign silver for any use other than a use on List A.

(2) *Temporary exception.* Notwithstanding the foregoing provisions of this paragraph (d), a manufacturer may continue the processing of any foreign silver which on July 29, 1943, he had already put into process for any use on List B to fill orders rated A-1-a or higher; also, a manufacturer may put into process and process to completion for a List C use any foreign silver owned by him on July 29, 1943, and he may complete the processing of any foreign silver already put into process by him on such date for any such use: *Provided*, That on and after September 6, 1943, no manufacturer may put into process any foreign silver in the manufacture of brazing alloys or solders, but he may complete the processing of any foreign silver already put into process by him on September 6, 1943, for any such use: *Provided, further*, That on and after May 15, 1944, no manufacturer may put into process any foreign silver owned by him on July 29, 1943, in the manufacture of official articles (item 2, List C) except to fill specific approved orders or contracts received and accepted by him prior to May 15, 1944, which call for delivery of a specified number of articles at a fixed price.

(3) *Temporary exception for List D uses.* Notwithstanding the limitations of paragraph (d) (1), a manufacturer may continue the processing of any foreign silver which on May 15, 1944, he had already put into process for any use on List D to fill orders rated AA-5 or higher; and he may purchase, accept delivery of, put into process, and process to completion for any use on List D any foreign silver required to fill specific orders rated AA-5 or higher received and accepted by him prior to May 15, 1944, which call for delivery of a specified number of articles at a fixed price.

(e) *Restrictions upon purchase, acceptance of delivery, and processing of Treasury silver by manufacturers.* No manufacturer shall purchase, accept delivery of, put into process, or process Treasury silver except for a use on List C.

(f) *Authorization to purchase Treasury silver from the United States.* Purchases of Treasury silver from the United States pursuant to Public Law 137, approved July 12, 1943, shall be made only

upon specific authorization of the War Production Board. Any supplier or manufacturer desiring such authorization may apply by letter to the War Production Board, Miscellaneous Minerals Division, Washington 25, D. C., Reference: M-199, not later than the 15th day of the month preceding the month in which delivery of the Treasury silver is desired. In such letter the applicant, in addition to other pertinent information, shall state the nature of his business and the intended use of the silver in terms of the uses specified on List C.

(g) (1) *Restrictions upon the purchase, acceptance of delivery, and processing of domestic silver for List B uses.* In any calendar quarter after July 1, 1943, until further notice, no manufacturer shall purchase, accept delivery of, or put into process domestic silver for uses on List B in excess of  $\frac{1}{8}$  of the aggregate amount by weight of all silver (foreign and domestic), computed on the basis of the fine silver content thereof in troy ounces, put into process by such manufacturer for List B uses and for item 2 of List C uses (official articles) during the calendar year 1941 or the calendar year 1942, whichever year is the greater: *Provided, however*, That such manufacturer, in computing his quota of domestic silver under the foregoing provision, shall deduct from the said aggregate amount put into process by him for List B uses and for item 2 of List C uses (official articles) for the year 1941 or 1942, as the case may be, the aggregate amount by weight of silver (fine silver content, troy ounces) put into process by him in such year for List B uses and for item 2 of List C uses (official articles) to fill orders rated A-3 or higher, and the aggregate amount by weight (fine silver content, troy ounces) of sales made by him in such year of silver scrap or silver waste material resulting from the processing of silver for List B uses and for item 2 of List C uses (official articles), exclusive of orders rated A-3 or higher.

(2) *Quota restrictions under toll agreements.* In any case where prior to January 1, 1943, a manufacturer furnished silver to another manufacturer under toll agreement to be processed and returned in semi-processed or finished form, the manufacturer who furnished the silver, and not the manufacturer who did the processing under toll agreement, shall be considered, for the purpose of computation of domestic silver quotas under the provisions of paragraph (g) (1), as having put into process the silver involved. On and after November 10, 1943, where one person furnishes silver to another under toll agreement to be processed and returned, the same considerations shall apply in determining whose quota should be charged as between the person who furnishes the silver and the one who processes it: that is, the quota of the person who furnishes the silver shall be charged and not that of the toll processor.

(3) *Assignability of quotas.* Domestic silver quotas may not be assigned except as provided in § 944.28, Priorities Regulation No. 7A.



(4) *No quota restrictions on domestic silver for other than List B uses.* A manufacturer may purchase, accept delivery of, put into process, and process domestic silver without regard to the quota limitations of paragraph (g) (1) for any use on List A, any use on List C, any use on List D or any unlisted use.

(h) *Special exceptions as to domestic silver.* The restrictions of this order as to the purchase, acceptance of delivery, and processing of domestic silver for List B uses do not apply to any manufacturer who qualifies under either subparagraph (1) or (2) below; that is, a manufacturer:

(1) Who meets each and all of the following requirements:

(i) His gross sales of all repair services and products sold by him, whether or not manufactured by him, did not exceed \$35,000 in the preceding calendar year.

(ii) He does not purchase, accept delivery of, or put into process in excess of 500 troy ounces, fine silver content, of domestic silver for List B uses during the period between July 1, 1944 and October 1, 1944, or in any calendar quarter thereafter.

(iii) He performs all the processing operations (except as provided in paragraph (h) (1) (v) below) from the form of silver as received from silver suppliers to the finished products, in his own plant, using his own equipment.

(iv) He does not process silver for others under toll agreement.

(v) He does not have any of the manufacturing operations on his own products performed for him by others under toll agreement, except that he may furnish silver and have findings, including chain, made for him by others under toll agreement, if (a) the aggregate weight (troy ounces, fine silver content) of such articles does not exceed, in any calendar quarter, 25% by weight of the total amount of silver (troy ounces, fine silver content) purchased by him for List B uses in the same calendar quarter, and (b) such findings, including chain, are to be incorporated in his own products; or

(2) Who meets each and all of the following requirements:

(i) He was engaged in the silver manufacturing business throughout the year 1941;

(ii) His gross receipts in the year 1941 from the sale of silver products did not exceed \$25,000;

(iii) He continues to engage in the silver manufacturing business, and to have at all times not more than five persons at one time, excluding all clerical employees, working in such business, each of which persons is either over the age of 50 years or is physically incapacitated from performing ordinary factory labor; and

(iv) His gross sales of silver products for the calendar year 1943 and for each

calendar year thereafter do not exceed \$35,000 per year, *Provided, however,* That in no event shall he purchase, accept delivery of, or put into process domestic silver for List B uses in any calendar quarter under this exception (h) (2) in excess of 25 per cent of the aggregate amount by weight of all silver (foreign and domestic), computed on the basis of the fine silver content thereof in troy ounces, put into process by him for List B uses during the calendar year 1941.

(v) For a manufacturer to be engaged in the "silver manufacturing business" as the term is used in paragraph (h) (2), at least 75% of the gross receipts of such manufacturer in the year 1941 and succeeding years from products of all kinds sold by him (including products sold but not manufactured by him) shall have been derived from the sale of silver products manufactured by him. A silver product is one in which silver is physically incorporated and in which the amount of contained silver is greater either in weight or in value than any other single material, excluding precious or semi-precious stones, contained in such products.

(3) The exceptions set forth in paragraphs (h) (1) and (h) (2) are intended for the benefit only of manufacturers who operate on a small scale. No manufacturer shall be entitled to operate under either of these exceptions and at the same time to purchase, accept delivery of, and put into process silver under the quota provided in paragraph (g) (1). Moreover, these exceptions are mutually exclusive: a manufacturer who purchases and uses silver under paragraph (h) (1) cannot also purchase and use silver under paragraph (h) (2), and conversely, a manufacturer who purchases and uses silver under paragraph (h) (2) cannot purchase and use silver under paragraph (h) (1).

(4) Manufacturers who are owned or controlled by the same person shall be deemed to be a single manufacturer under this paragraph (h).

(i) *Special directions as to distribution of foreign, Treasury, and domestic silver.* From time to time the War Production Board may issue special directions to individual suppliers and manufacturers, specifying the sources, destinations, and amounts of silver (foreign, Treasury, or domestic) to be delivered or acquired by them.

(j) *Restrictions on holding of scrap silver.* (1) No manufacturer shall purchase or accept delivery of silver of any kind (foreign, domestic, or Treasury) if he has on hand more than a thirty days' accumulation of scrap silver, exclusive of wastes, such as mirror wastes, polishings, and sweepings, whether foreign, Treasury, or domestic, or any combination thereof, unless such accumulation aggregates less than 1,000 ounces, fine silver content.

(2) No manufacturer shall have scrap melted, reformed, and redelivered to him

under toll agreement if by such redelivery his inventory of silver will be in excess of a minimum practicable working inventory, taking into consideration the orders on his books requiring use of silver and the limitations placed upon the use of silver by this order.

(k) *Fungibility of silver stocks recognized.* Although this order deals with three kinds of silver (foreign, Treasury, and domestic) which are separately defined, and imposes restrictions which vary in their application as among these kinds of silver, it is recognized that all three kinds of silver are physically identical. Accordingly, nothing in this order shall be deemed to require any person holding two or more kinds of silver to keep the various kinds physically segregated. It is also understood that a person who holds only one kind of silver at a particular moment may be called upon to deliver or to use another kind of silver. In such cases, the person holding the one kind of silver may change part or all of his stock of such silver to silver of another kind simply by selling part of his stock to a supplier, ordering an equivalent amount, silver content, of the different kind of silver required for his purposes and paying or receiving the difference in price. For the purposes of this order, physical delivery to the supplier of the silver being sold and physical delivery by the supplier of the different kind of silver being purchased are not required in order to change the character of the silver involved from the kind in stock to the kind being purchased. The form of the silver can also be disregarded. For example, a manufacturer with partially processed stocks of foreign silver which he cannot finish for List B uses under the restrictions of the order, can purchase domestic silver bars having a silver content equal to the silver content of the partially processed silver, sell those same bars back to the supplier as foreign silver, pay the difference in price, and then consider that the partially processed silver is domestic silver and may be further processed for List B uses as permitted by the order. Any purchasing or processing of domestic silver under the provisions of this paragraph for uses on List B must, however, be within the quota limitations of paragraph (g) hereof. Furthermore, at no time shall any person sell silver of any kind in excess of the amount of silver of that kind, fine silver content, owned by him. For the purposes of this order, silver owned by a person shall be deemed to include, in the case of suppliers only, silver which such supplier has contracted to purchase under a firm written contract calling for the delivery of a specific amount of silver of a specific kind within a specific period, not exceeding five months from the date of the contract.

(l) *Use certificate.* No supplier shall deliver any silver (foreign, Treasury, or domestic) to any manufacturer, and no manufacturer shall accept delivery of any silver from any supplier, unless the manufacturer shall have furnished the supplier with a certificate specifying the end use of such silver in terms of the uses specified on List A, List B, List



C, and List D. Such certificate may be placed on or attached to the purchase order, and shall be in substantially the following form, signed manually or as provided in Priorities Regulation No. 7:

Pursuant to Conservation Order M-199, the undersigned hereby certifies to the supplier and the War Production Board that the silver covered by the accompanying order (and all silver purchased from the supplier under orders placed in the future) shall be used solely for the following purposes: -----

(Name of purchaser)

Date ----- By -----  
(Signature and title of  
duly authorized officer)

In appropriate cases one certificate may cover the use of silver to be delivered under orders to be placed with such supplier in the future. Such certificate shall constitute a representation to, but shall not be filed with, the War Production Board. The supplier shall be entitled to rely on such representation, unless he knows or has reason to believe it to be false.

(m) *Exceptions*—(1) *United States Government*. None of the restrictions in this order as to sale, purchase, delivery, acceptance of delivery, or use of silver shall be applicable to the United States Government or any of its departments or agencies: *Provided, however*, This exception shall not be deemed to extend to a manufacturer who manufactures items for delivery to or for the account of the United States Government or any of its departments or agencies. An item is not deemed removed from the list of restricted uses simply because it is to be manufactured for delivery to or for the account of the United States Government or any of its departments or agencies.

(2) *Repair*. The restrictions of this order as to the putting into process and the processing of foreign, Treasury, or domestic silver shall not apply to a person repairing a used article on or off the premises of the owner, if the person making the repair does not use silver weighing in the aggregate more than 3 ounces and if any putting into process or processing done by such person is for the purpose of making the specific repair. The term "repair" as used in this paragraph shall include the replating of used articles, provided the article was originally made of silver or silver-plated material.

(n) *Limitations of inventories*. No manufacturer shall accept delivery of silver, in the form of raw materials, semi-processed materials, finished parts, or sub-assemblies, nor shall he put into process any raw material, in quantities which in either case shall result in an inventory of raw, semi-processed, or finished material in excess of a minimum practicable working inventory, taking into consideration the limitations placed upon the use of silver by this order.

(o) *Restrictions on sale and purchase of manufactured products*—(1) *General*. No person whether manufacturer, wholesaler, jobber, distributor, dealer, retailer, or consumer, shall sell, purchase, deliver, or accept delivery of any

article made in whole or in part of silver if he knows or has reason to believe that it was made, assembled, or delivered contrary to the restrictions contained in this order.

(2) *Official articles*. Notwithstanding § 944.11 of Priorities Regulation No. 1, no manufacturer shall sell or deliver official articles except to the person from whom the manufacturer received the order or contract on which the articles were manufactured. However, if any manufacturer holds any official articles which he is unable to deliver to such person, because of cancellation or cut-back of the order or contract, or because of over-run, or rejection, such manufacturer, if he has a domestic silver quota under paragraph (g) (1), following the procedure described in paragraph (k), may convert the identity of the silver content of the articles into domestic silver within the limitations of such quota, and thereafter dispose of them without restriction as List B items.

(p) *Reports*. Each supplier and each manufacturer and every other person affected by this order shall file such reports as may be requested from time to time by the War Production Board, subject to the approval of the Bureau of the Budget, pursuant to the Federal Reports Act of 1942.

(q) *Miscellaneous provisions*—(1) *Appeals*. Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provisions appealed from, and stating fully the grounds of the appeal.

(2) [Deleted May 15, 1944]

(3) *Applicability of regulations*. This order and all transactions affected hereby are subject to all applicable provisions of War Production Board regulations as amended from time to time.

(4) *Communications to War Production Board*. All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Miscellaneous Minerals Division, Washington 25, D. C. Ref: M-199.

(5) *Violations*. Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 18th day of September, 1944.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

LIST A: Permitted uses of foreign silver under Conservation Order M-199—these are the only uses permitted for foreign silver; domestic silver is also permitted for these uses without limit; Treasury silver (except in the form of brazing alloys or solders) is not permitted at all for these uses:

1. Manufacture of medicines and health supplies, including, without limitation, dental, surgical, veterinary, and optical (including spectacle frames) instruments, appliances, and equipment.

2. Manufacture of photographic film, photographic papers, and photographic chemicals, and use in any photographic process.

3. Manufacture of electrical contacts and other silver products or parts used for electrical current carrying purposes.

4. Manufacture of any product or use in any process to fill orders bearing a preference rating of AA-5 or higher, except uses on List B, List C, or List D.

5. Use of brazing alloys or solders manufactured of foreign silver prior to July 29, 1943, or manufactured since that date pursuant to the temporary exception set forth in paragraph (d) (2), for any purpose except a use on List B.

6. Use by a laboratory. "Laboratory" means any person engaged in the business of carrying on scientific or technological investigation, testing, development or experimentation, to the extent that he is so engaged. The term includes research laboratories, production control laboratories, testing laboratories, analytical laboratories, clinical laboratories, and instructional laboratories. It does not include any person to the extent that he is engaged in the manufacture of products for commercial sale, even though the place in which the products are manufactured may be called a laboratory.

LIST B: Restricted uses of silver under Conservation Order M-199—regardless of rated orders, only domestic silver is permitted for these uses and then only within the quota limitations of paragraph (g) (1); foreign silver and Treasury silver are not permitted at all for these uses:

1. Manufacture of silverware, including, without limitation, knives, forks, spoons, plates, platters, dishes, pitchers, vases, cups, candlesticks, and all other kinds of flatware and hollow ware and table, kitchen, and decorative utensils and objects, including silver deposit china or glassware, except glass liners or fillers for vacuum jugs and bottles.

2. Manufacture of watch cases and jewelry, including, without limitation, costume jewelry, blackout jewelry, and other articles of personal adornment, except push-pins for wrist watches. The term jewelry also includes personal accessories of all kinds such as bags, compacts, vanity cases, cigarette cases, cigarette holders, lighters, souvenirs, cuff links, pins, and clasps.

3. Manufacture of articles of identification, including discs, chains, and cords, and emblems, badges, and insignia other than official articles. What is meant by "official articles" is set forth in item 2 of List C.

4. Manufacture of church goods as defined in General Limitation Order L-136.

5. Manufacture of slide fasteners, hooks and eyes, snaps, buttons, clips (except for fountain pens and mechanical pencils), buckles, and fasteners of every description.

6. Manufacture of closures for containers.

7. Manufacture of pens and pencils, except the nibs, interior tubes, filling mechanisms, clips, and reinforcing cap-rings or bands of fountain pens; and the tips, interior operating mechanisms, clips, and reinforcing bands of mechanical pencils.

8. Manufacture of toilet articles and picture frames.

9. Manufacture of musical instruments, except strings for stringed instruments.

10. Electroplating and all other kinds of silver deposit processes, silver inlay work, and all other processes for the covering of another material in whole or in part with silver, except where essential for the operation or functioning of the part or article to which the silver is applied.



11. Manufacture of findings, including chain, for any List B use.

List C: Permitted uses of Treasury silver under Conservation Order M-199—these are the only uses permitted for Treasury silver; domestic silver without regard to quota limitations of paragraph (g) (1) is also permitted for these uses; foreign silver (except as temporarily permitted under paragraph (d) (2)) is not permitted at all for these uses:

1. Manufacture of bearing material, bearings, and parts of bearing assemblies.

2. Manufacture of official articles. The term "official articles" means:

(a) Metallic insignia designating rank, branch of service, and "U. S." manufactured in accordance with official regulations on approved orders or contracts;

(b) Embroidered insignia, lace, stripes, or braid manufactured in accordance with official regulations, on approved orders or contracts, or on orders or contracts placed by producers of officers' uniforms, as the term "producer" is defined in Preference Rating Order P-131, as amended, for use as provided in P-131; and

(c) Decorations, medals, badges, and qualification bars (including jump rings) manufactured in accordance with official regulations, on approved orders or contracts bearing preference ratings of AA-5 or higher.

(d) Identification neck-chains manufactured on orders or contracts for the Navy Department, on Navy orders or contracts, or on orders or contracts placed by Ship's Service Stores, each article having a total length of 28 inches and a total weight, including hooks and fasteners but excluding identification tags, of not to exceed one-half troy ounce.

For the purposes of this item 2 of List C, the term "approved orders or contracts" means orders or contracts for:

(i) War Department, placed by the Quartermaster General;

(ii) Navy Department, on Navy orders or contracts, or on orders or contracts placed by Ship's Service Stores, Naval Uniform Service, Inc., or Women's Naval Uniforms, Inc., or by such other outlets as the War Production Board shall specify from time to time under Limitation Order L-131 at the request of the Bureau of Supplies and Accounts of the Navy Department.

(iii) U. S. Marine Corps, placed by the Headquarters Exchange Officer of the United States Marine Corps or by Marine Corps Post Exchanges, when authenticated by the Headquarters Exchange Officer;

(iv) Coast Guard, placed by the Coast Guard Supply Depot;

(v) U. S. Coast and Geodetic Survey, placed by the Director of the U. S. Coast and Geodetic Survey or by the Division of Purchases and Sales of the Department of Commerce;

(vi) U. S. Public Health Service, placed by the U. S. Service Exchange of the U. S. Public Health Service;

(vii) The War Shipping Administration, placed by the Chief Procurement Officer of the Training Organization of the War Shipping Administration.

3. Manufacture of brazing alloys.

4. Manufacture of solders.

5. Use of brazing alloys or solders manufactured of Treasury silver for any purpose except a use on List B.

6. [Deleted Nov. 10, 1943]

7. Manufacture of Desalination Kits.

8. Manufacture of products or use in processes pursuant to Army, Navy, or Air Corps contracts to which serial code numbers with the prefix "TAG" have been assigned by the procuring agency.

List D: Ex-quota uses of domestic silver under Conservation Order M-199—regardless of rated orders, only domestic silver is permitted for these uses but the quota limitations of paragraph (g) (1) do not apply; foreign silver, except on a temporary basis

(paragraph (d) (3)), and Treasury silver are not permitted at all for these uses:

1. Manufacture of mirrors.

2. Manufacture of glass liners or fillers for vacuum jugs and bottles.

3. Manufacture of push-pins for wrist watches.

4. Manufacture of nibs, interior tubes, filling mechanisms, clips, reinforcing cap-rings or bands of fountain pens and tips, interior operating mechanisms, clips, and reinforcing bands of mechanical pencils.

5. Manufacture of strings for musical instruments.

6. Manufacture of watch crowns and bows.

7. Educational purposes. This includes the use of silver for occupational, educational, and recreational therapy as well as use by art and trade schools and classes. The production of articles with this use of silver must clearly be of secondary importance to the educational or therapeutic purposes accomplished through such use. In the event that articles produced with this use of silver fall within the description of articles restricted under List B, such articles may be sold or commercially distributed by the school, class, student, or patient only to the extent of a gross sales value of \$300 per student or patient per calendar quarter and may not exceed a total weight in finished form of 100 troy ounces, fine silver content, per student or patient per calendar quarter.

#### INTERPRETATION 1

Conservation Order M-199 imposes certain quota limitations upon the amount of domestic silver which a manufacturer may put into process for List B uses. In many silver manufacturing processes, a manufacturer starts with a certain amount of silver in primary shapes and ends the operation with a large part of such silver in the form of scrap. It is customary for the manufacturer in these cases to have this scrap melted, rolled, or otherwise processed so as to return it to a primary shape in which it can again be subjected to manufacturing processes. This reforming of the silver scrap in some instances is done by the manufacturer himself, in other instances the work is done by others under toll agreement. The question has been presented under these quota limitations as to whether the processing of this reformed scrap must be considered as coming within this meaning of the term "put into process" or whether such processing of reformed scrap shall be considered as only the continuation of a processing operation which began when the manufacturer processed for the first time in any form for a List B use the specific amount of silver from which such scrap was produced.

It is hereby determined that for the purposes of the quota limitations of Order M-199, the term "put into process" shall be deemed to cover only the manufacturer's first processing for a List B use of a given amount of silver. It shall not be deemed to cover the subsequent processing of reformed scrap produced therefrom, whether such reforming is done by the manufacturer himself or by others for him under toll agreement. The term shall be deemed to cover, however, the first processing for a List B use of reformed scrap which was produced from putting silver into process for a use which is not on List B.

This interpretation supersedes Interpretation 1 of Conservation Order M-199 issued September 1, 1942. (Issued Nov. 10, 1943.)

#### INTERPRETATION 2

(a) It is customary for many silver manufacturers to ship the scrap they produce to

a supplier under toll agreement for reforming and return. As suppliers and manufacturers are bound by the restrictions of the order as to the amount of silver, foreign, domestic, and Treasury, they may sell, purchase, deliver, and accept delivery of, for the various uses listed in the order, and as these toll transactions are in effect excepted from such restrictions, it is important that the amount of silver shipped by the supplier, which purports to be the return of silver reclaimed from the scrap, have a real relation to the amount of scrap sent in by the manufacturer. However, much time would be lost if the supplier were required to wait until he has reclaimed, refined, and reformed the scrap before returning anything to the manufacturer.

Accordingly, it is hereby determined that a supplier may ship the estimated silver content of the scrap to a manufacturer immediately upon his receipt of the scrap, without waiting for the scrap to be reclaimed, refined, and reformed. Furthermore, it is recognized that in cases where a manufacturer makes frequent shipments of scrap to a supplier, it is impossible as a practical matter for the supplier to know at all times that he has not shipped to that manufacturer more silver than the silver content of the scrap the manufacturer has shipped to him. In such cases it will be sufficient if the supplier will check his accounts at least once every 30 days and make sure that his total shipments of silver to any such manufacturer against scrap received have not exceeded the silver content of the scrap received from such manufacturer.

(b) Under the provisions of paragraph (m) (1), the United States Government, its departments and agencies are excepted from the restrictions of the order as to the sale, purchase, delivery, acceptance of delivery, and use of silver. This exception applies to the requirements of paragraph (1) dealing with the "use certificate." Such certificate is not required in the case of silver deliveries by a supplier to the United States Government or one of its departments or agencies.

In this same connection, a question has been raised as to whether or not this exception will permit brazing alloys and solders ordered by the Government or one of its departments or agencies to be made out of foreign silver contrary to the restrictions of paragraph (d). This exception is designed to relieve only the Government from the restrictions of the order—not the persons who manufacture items for delivery to the Government. Hence manufacturers of brazing alloys and solders are not relieved from the restrictions of paragraph (d) even though such alloys and solders are to be delivered to the Government. (Issued Nov. 10, 1943.)

[F. R. Doc. 44-14395; Filed, Sept. 18, 1944; 11:19 a. m.]

PART 3286—MISCELLANEOUS MINERALS  
[Conservation Order M-199, Direction 2 as Amended Sept. 18, 1944]

MANUFACTURE OF ROLLED GOLD PLATE AND GOLD FILLED STOCK CONTAINING MORE THAN 1/2 OF 1% OF SILVER BY WEIGHT, EXCLUSIVE OF THE SILVER CONTENT OF THE KARAT GOLD, IF ANY

The following amended direction is issued pursuant to Conservation Order M-199:



This direction tells how rolled gold plate and gold filled stock, which come within the definition of "silver" under Conservation Order M-199, may be made. It places restrictions upon the use of copper and copper base alloy in such manufacturing.

(a) *Definitions.* For the purposes of this direction:

(1) "Rolled gold plate and gold-filled stock" include only materials of that description which contain more than  $\frac{1}{2}$  of 1% of silver by weight exclusive of the silver content of the karat gold, if any.

(2) "Karat gold" means alloyed gold produced in accordance with U. S. Commercial Standard CS67-38 (issued by the National Bureau of Standards).

(3) "Copper" means unalloyed copper.

(4) "Copper base alloy" means any alloy metal in the composition of which the percentage of copper metal by weight equals or exceeds 40% of the total weight of the alloy. It shall include metal alloy made from scrap. Copper base alloy does not include "karat gold."

(5) "Inter-liner" means any copper or copper base alloy used between karat gold and silver or other metal in the manufacture of gold filled stock and rolled gold plate.

(b) *Restrictions covering rolled gold plate and gold filled stock.* After August 7, 1944, no person shall make, sell, accept delivery of, or use rolled gold plate or gold filled stock, in which the base metal is copper or copper base alloy or in which the copper or copper base alloy inter-liner or inter-liners equals or exceeds 10% of the total weight of the finished rolled gold plate or gold filled stock, for any purpose for which the use, delivery or acceptance of delivery of copper is prohibited by Orders M-9-c, M-9-c-2, or any other War Production Board order. Rolled gold plate or gold filled stock in which the base is not copper or copper base alloy, and in which the total weight of the inter-liner or inter-liners is less than 10% of the total weight of the finished rolled gold plate or gold filled stock, shall not be considered a copper material and hence shall not be subject to Orders M-9-c, or M-9-c-2, or other War Production Board orders relating to copper or copper base alloy, but the use of copper base alloy containing tin for such inter-liner is prohibited in any event.

(c) *Purchase of copper for inter-liners.* Any person who wants to buy copper or copper base alloys for use as inter-liner as permitted by this Direction may place an order by the use of the symbol S-4 and the standard certification prescribed in Priorities Regulation 7. Such an order is an authorized controlled material order for the purpose of all CMP Regulations.

NOTE: Paragraph (d), formerly paragraph (e) redesignated Sept. 18, 1944.

(d) *Application of other orders.* After August 7, 1944, the provisions of this Direction with respect to rolled gold plate and gold filled stock shall govern in any case where they are inconsistent with the provisions of Order M-9-c, M-9-c-2, or any other order of the War Production Board restricting the use of copper or copper base alloy. In all other respects, any more restrictive provisions of an order of the War Production Board shall prevail. No provision of this direction shall be deemed to relieve any

person from complying with any of the restrictions of Order M-199.

Issued this 18th day of September 1944.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 44-14394; Filed, Sept. 18, 1944;  
11:18 a. m.]

#### PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-70, as Amended  
Sept. 18, 1944]

##### JUTE AND JUTE PRODUCTS

§ 3290.271 *Conservation Order M-70—(a) Control and allocation.* No processor shall make or accept delivery of, or use or put into process raw or scrap jute, jute products or scrap jute manufactured products in violation of directions of the War Production Board issued pursuant to this paragraph. The War Production Board may from time to time allocate the supply of raw and scrap jute, jute products and scrap jute manufactured products, and specifically direct the time, manner and quantities in which deliveries to or by particular processors shall be made or withheld. It may also direct or prohibit particular uses of raw and scrap jute, jute products and scrap jute manufactured products.

(b) *Restrictions on processing, sale and use.* (1) (i) No person shall use or put into process any raw jute, except for the manufacture of the products listed in List A.

(ii) No person shall use any product listed in List A, except for the uses there specified.

(iii) No person shall use any imported jute product listed in List C, except for the uses there specified.

(iv) Where restrictions on sale are listed in List A or C, no person shall sell any product covered by such restrictions, except in conformity with those restrictions.

(2) No processor shall put into process in any calendar month more raw jute than is necessary to meet his required deliveries of jute products and to maintain a practicable minimum working inventory. The term "practicable minimum working inventory" is to be strictly construed as meaning the minimum inventory which will permit of economical operation of plant and will depend, in each case, upon the practicability of changing a spinning system from the manufacture of one product to another.

(3) Whether he uses jute or any other fiber, no person shall use any soft fiber carding, drawing, roving or spinning machinery in the manufacture of any products other than products specifically permitted in this order, or in any other conservation order of the War Production Board specifically regulating the end uses for which fiber may be processed. This subparagraph does not apply to machinery normally used for processing scrap jute.

(c) *Restrictions on delivery.* No person shall sell or deliver any product con-

trolled by this order if he knows or has reason to believe that the person who is buying or accepting delivery of the product will use it in a manner which this order, including Lists A and C, does not permit. He should satisfy himself as to this in some reasonable manner before making delivery. He may, but need not, require a statement in writing showing the specific purpose or use for which the item is ordered.

(d) *Importations.* The importation of jute and jute products shall be made in conformity with the provisions of General Imports Order M-63, as amended from time to time.

(e) *Restrictions on the use of damaged jute and damaged jute products.* Any processor, person or dealer who has in his possession damaged jute defined in paragraph (f) (13), or jute products defined in paragraph (f) (3) that are damaged, shall report to the War Production Board the nature of the damage and the quantity not suitable for the manufacture of the products, or for the end uses, permitted by this order. The report shall be by letter setting forth all pertinent facts, including a statement of the portion of each bale or package actually damaged. After making that report and receiving from the War Production Board an acknowledgement which does not object to his claim of damage, he may then use or dispose of the portion of each bale or package, actually damaged and so reported, free from the restrictions of this order excepting the restrictions in paragraph (b) (3).

(f) *Definitions.* For the purposes of this order:

(1) "Raw jute" means unprocessed jute, including butts, meshta, urena lobata of all grades (commonly called congo jute) and punga.

(2) "Scrap jute" means the material commonly called scrap jute, including millrun bagging, and sugar cloth; and burlap, excepting roofing bagging, which has been used as a container or cover, but which cannot be reclaimed for use as a container or cover by mending or other means.

(3) "Jute product" means any product processed from raw jute, either alone or in combination with other material, including but not limited to yarn, roving, rope, twine, scrim, webbing, brattice cloth, linoleum burlap, woven jute fabric, imported jute bags, sacking cloth, interlinings, and new or re woven bale covering containing raw jute for covering raw cotton. The term shall not include burlap as defined in Conservation Order M-47, as amended, or sugar sacking for sugar areas in the Western Hemisphere.

(4) "Scrap jute manufactured product" means any end product manufactured from scrap jute either alone or in combination with other material including, but not limited to, new or re woven jute bale covering for covering raw cotton, carded or garnetted jute felt or jute silver, oakum and twisted jute packing and punched jute felts.

(5) "Domestic jute product" means any jute product processed in the continental United States.



(6) "Imported jute product" means any jute product, excepting burlap as defined in Order M-47, imported into the continental United States in the processed form.

(7) "Woven jute fabric" means fabric woven from jute and weighing not more than 6 ounces per yard, basis forty inches wide, excepting scrim.

(8) "Scrim" means a woven fabric composed of single yarns, not exceeding 10 threads per inch, counting the warp and filling, and weighing not more than 3.6 ounces per yard, basis forty inches wide.

(9) "Webbing" means a woven fabric, with fast edges, not exceeding 12 inches in width.

(10) "Processor", as applied to raw jute, means any person who puts into process in the continental United States raw jute, by performing any operation up to or through the manufacture of roving or yarn; as applied to scrap jute, it means any person who puts into process in the continental United States scrap jute for any purpose.

(11) "Put into process", as applied to raw jute, means placing it upon a processing machine; as applied to scrap jute, it means reclamation either by mending, by converting into fiber, or by placing scrap jute or the fiber resulting from such conversion upon a processing machine.

(12) "Dealer" means any person who purchases jute or jute products for resale but does not include a person who sells only at retail.

(13) "Damaged jute" means jute that has been rejected by Defense Supplies Corporation, or jute upon which an adjustment has been made by an insurance adjuster as a result of any kind of damage making a given bale or bales unsuitable, wholly or in part, for use in the manufacture of products permitted by this order.

(14) "Continental United States" means the forty-eight states and the District of Columbia.

(g) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board, as amended from time to time.

(h) *Reports.* Each person classified below must within the period specified in the reporting form, file with the War Production Board each form applicable to his operations, giving the information required, as follows:

Who shall file	Form number
A person in the business of receiving, processing, owning or controlling raw jute.	WPB-914 (Formerly PD-469); WPB-2901, Part III.
A person in the business of processing scrap jute.	WPB-3712.

(i) *Communications to the War Production Board.* All reports required to

be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Textile, Clothing and Leather Division, Washington 25, D. C., Reference M-70.

(j) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate referring to the particular provision appealed from and stating fully the grounds of the appeal.

(k) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

NOTE: The reporting requirements of this order have been approved by the Bureau of the Budget in accordance with The Federal Reports Act of 1942.

Issued this 18th day of September 1944.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

#### LIST A

(1) Single or plied yarn or roving for use in, or as:

(i) Fuses.  
(ii) Electric cable or electric appliances, whether such yarn or roving is treated or untreated.

(iii) Packing material, braided or twisted, to fill orders bearing a preference rating of AA-5 or higher.

(iv) New or re woven bale covering for covering raw cotton: *Provided, however,* That no raw jute except butts shall be used in the manufacture of such roving or yarn.

(v) Jute centers for wire rope and wire cable.

(vi) Webbing, to fill orders bearing a preference rating of AA-5 or higher.

(vii) Webbing, for purposes other than those specified in subparagraph (1) (vi) of this List A in an amount in any calendar month not in excess of 20% of his average monthly shipments during the calendar year 1941.

(viii) Twine.

(ix) Rope, *Provided,* That yarn or roving shall be sold and delivered only to processors of rope who have received, for the calendar quarter in which delivery is to be made, directions from the War Production Board setting forth the proportions in which their deliveries of jute rope are to be apportioned between the several claimant agencies.

(2) Single yarn or scrim for use in reinforced paper.

(3) Oakum or twisted jute packing rope, *Provided, however,* That no raw jute except butts shall be used.

(4) Carded jute or jute sliver for use in insulating material, *Provided, however,* That no raw jute except butts shall be used in

the manufacture of such carded jute or jute sliver.

(5) Jute sliver for use in the manufacture of tinned copper or copper alloy products.

NOTE: Paragraph 6, formerly 5, redesignated Sept. 18, 1944.

(6) Any other products not specifically elsewhere provided for in this order to fill orders of and to the extent approved under the specifications of the Army or Navy of the United States, the Maritime Commission or the War Shipping Administration.

LIST B: Deleted May 9, 1944.

#### LIST C

(1) Brattice cloth, treated or untreated, for use in the control of air flow in mines.

(2) Bale covering, for covering raw cotton.

(3) Scrim, for the manufacture of reinforced paper.

(4) Linoleum burlap, for supplying to or for physical incorporation into products to fill orders for the Army or Navy of the United States, the Veterans Administration, the United States Maritime Commission or the War Shipping Administration, but only to the extent that the use of such linoleum burlap is specifically required by the terms of the prime contract involved, or to accumulate stocks of linoleum, within the limits permitted by § 944.14 of Priorities Regulation No. 1 for sale exclusively to any of the agencies mentioned herein.

(5) Woven jute fabric, to fill orders bearing a preference rating of AA-5 or higher.

(6) Webbing, to fill orders bearing a preference rating of AA-5 or higher.

(7) Webbing, for purposes other than those specified in paragraph (6) of this List C, in an amount in any calendar month not in excess of 20% of his average monthly sales or use during the calendar year 1941.

(8) Jute bags for purposes permitted under Conservation Order M-221, as it may be amended from time to time.

(9) Single or plied jute yarn or roving for use in manufacture of rope.

[F. R. Doc. 44-14393; Filed, Sept. 18, 1944; 11:18 a. m.]

#### Subchapter D—Office of the Rubber Director

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

#### PART 4600—RUBBER, SYNTHETIC RUBBER, BALATA AND PRODUCTS THEREOF

[Rubber Order R-1, Appendix IV as Amended Sept. 16, 1944]

#### TIRE ALLOTMENT PLAN

(a) *What this order does.* This order places truck-bus tires, tractor-implement tires, and industrial tires under allocation and prescribes a procedure for the distribution of these products among claimant agencies on a quarterly basis.

For convenient reference, a summary of the "dead line" dates provided in the order as applied to any quarterly period, follows:



Dead Line	Action required	Paragraph
Feb-May-Aug-Nov.:		
1.....	Claimants' requirements.....	(d)(1)
1.....	Producer's production estimates.....	(e)
15.....	Allotments to Claimants.....	(d)(2)
20.....	Claimants' break-down between original equipment and replacement.....	(d)(3)
25.....	Production directive to producers.....	(e)
Mar-Jun-Sept-Dec.:		
1.....	Vehicle manufacturer's authorization.....	(g)
15.....	Vehicle manufacturer's certification to his supplier.....	(h)
.....	Procuring agency's certification for replacement.....	(i)
20.....	Unplaced orders referred to WPB.....	(j)
20.....	Producers' open capacity reports.....	(k)
Beginning of quarter.....	Placement of unplaced orders.....	(l)
.....	Frozen schedule.....	(p)

### Definitions

(b) *Meaning of certain terms.* As used in this order:

(1) "Tires" means tires in the groups subject to allotment. These tire groups are defined in paragraph (d). Each group is divided into sub-groups.

(2) "Producer" means a manufacturer of tires in the groups subject to allotment.

(3) "Vehicle manufacturer" means a manufacturer of rubber-borne vehicles or equipment having tires in the groups subject to allotment as part of the original equipment.

(4) "Claimant agency" means any of the following Government Offices (identifying symbols are indicated):

#### Military Claimants

War Department (except Ordnance, which is identified by the Symbol (O)).....	(W)
Navy Department.....	(N)
Maritime Commission.....	(M)
Aircraft Resources Control Office.....	(C)
Foreign Economic Administration—Lend-Lease.....	(L)

#### Indirect Military Claimants

Office of Defense Transportation.....	(T)
Office of Operations Vice Chairman <sup>1</sup> .....	
Foreign Economic Administration—Economic Warfare.....	(E)
War Food Administration.....	(A)

<sup>1</sup> See Table 1 attached.

### Requirements, Capacities and Allotments

(c) *Forward estimates of production by producers.* Two months preceding the quarter to be covered by allotments to the claimant agencies or on or before February 1, May 1, August 1, November 1, each producer shall submit by letter to the War Production Board forward estimates of his production for the quarterly period in each of the groups and sub-groups set forth in the following paragraph. In addition, each producer shall submit similar forward estimates of his production for the following three quarterly periods.

(d) *Allotments to claimant agencies.* (1) Two months preceding the quarter to be covered by the allotment or on or before February 1, May 1, August 1, November 1, each claimant agency shall transmit to the War Production Board its total requirements for the quarterly

period in each of the following groups and sub-groups:

Group A—Truck-bus tires: (This group includes truck-bus type and special purpose type pneumatic tires in all treads, whether for use on trucks, buses, farm equipment, construction machinery or other vehicles. It also includes highway type solid tires for use on any vehicles or equipment.)

A-1—Combat tires.

A-2—Extra large size tires, 16.00 and larger cross-section.

A-3—Large size tires, 9.00 through 14.00 cross-section except 9.00 x 16, 8 ply; also the following tires: 7.50 x 15, 10-12 ply; 8.25 x 15—10, 12 and 14 ply.

A-4—Medium size tires (dual bead), all 10 ply up to and including 8.25 cross-section, excluding 7.50 x 15 and 8.25 x 15.

A-5—Small size truck type tires (single bead) 8 ply and under, and 9.00 x 16, 8 ply; but excluding tires described in subgroup A-6 below.

A-6—Tires with 15 inch and 16 inch rim diameters, up to and including 7.50 cross-section (4, 6 and 8 ply only).

A-7—Solid tires.

Group B—Tractor-implement tires: (This group includes pneumatic tractor-implement type tires over 21" rim diameter and also includes size 9.00 x 16, in all treads for use on any vehicles or equipment).

B-1—Tires over 21" rim diameter and size 9.00 x 16.

Group C—Industrial tires: (This group includes pneumatic and pressed-on solid tires designed for industrial equipment. Bogie rollers are also included but only to October 1, 1944.)

C-1—Bogie rollers (included to October 1, 1944 only).

C-2—Pressed-on industrial type solids, including industrial-tractor pressed-on solids, all sizes.

C-3—(Deleted).

C-4—Industrial type pneumatic tires (all sizes).

These requirements shall be divided between original equipment and replacement for each group and sub-group.

In addition, each claimant agency shall furnish to the War Production Board its estimated requirements for each group and sub-group for the following three quarterly periods.

(2) Upon the basis of requirements submitted by each claimant agency the War Production Board will allot on or before the 15th day of the second month preceding the quarter to be covered by the allotment, to each claimant a quantity of tires by groups and sub-groups for the following quarterly period and shall also make tentative allotments to each claimant for the following three quarterly periods.

(3) Within 5 days after receipt of its allotment, each claimant agency shall furnish to the War Production Board a statement showing the break-down of its allotment by group and sub-group between original equipment and replacement.

(e) *Issuance of production directives to producers.* Not later than 10 days after the time prescribed in the preceding paragraph for the issuance of allotments to the claimant agencies, War Production Board will issue to each producer a directive for the period covered by the allotments, prescribing the percentage of the producer's facilities by groups and sub-groups allocated to the production of the following classes of orders:

(1) Original equipment; (2) replacement by military claimants; (3) indirect military replacement.

"Indirect Military" refers to claimants not designated as military claimants in paragraph (b) (4).

(f) [Deleted May 31, 1944]

#### Original Equipment

(g) *Vehicle manufacturer's authorization.* (1) Each manufacturer of vehicles or equipment listed in Table I must file his application for original equipment tires on Form WPB-3663 with the appropriate industry division of the War Production Board in accordance with instructions accompanying the form, unless he is specifically excused from filing. A manufacturer of vehicles or equipment not listed in Table I need not file Form WPB-3663, unless he is specifically instructed to do so.

(2) On or before the first day of the month preceding each quarter, manufacturers of vehicles and equipment listed in Table I for which tires have been allotted, will be authorized by the War Production Board on Form GA-1733 to accept delivery of a specified number of tires by group and sub-group. In the case of tire mounted vehicles or equipment not listed in Table I, similar authorizations will be issued to vehicle manufacturers by the appropriate claimant agency.

(3) No manufacturer may accept delivery of tires for his production of vehicles or equipment (including tire mounted components of vehicles or equipment) unless he has been specifically authorized to accept such delivery under this order.



(h) *Vehicle manufacturer's certification to his supplier.* (1) In order to receive tires for original equipment, each vehicle manufacturer authorized under the preceding paragraph must certify to his supplier not later than the 15th day of the month preceding the first month of the quarter in which shipments are to be made, in substantially the following form signed by an authorized official:

Agency identification number or symbol ----- The undersigned certifies, subject to the criminal penalties for misrepresentation contained in section 35 (A) of the United States Criminal Code, that he is authorized to accept delivery of the following tires for his production during the quarterly period commencing -----, 1944; that the monthly deliveries specified will not result at any time in an inventory exceeding 10 days' supply based upon his total authorized monthly production:

Size	Ply	Type	Quantity
------	-----	------	----------

The identification number shall consist of the appropriate symbol followed by the major program number (see Table I, unless authorization is issued by claimant agency).

No certification other than the above is required. The standard form of certification provided in Priorities Regulation 7 may not be substituted.

(2) By using the above certification, a vehicle manufacturer who buys tire mounted components for his production may authorize the manufacturer of the components to accept delivery of tires. On the basis of the certification received from his customer, the manufacturer of the tire mounted components shall use the same certification in placing his orders for tires with a producer. He must place his certified orders within the time prescribed for vehicle manufacturers.

(3) A vehicle manufacturer's authorization for tires may be reduced or cancelled at any time by the War Production Board or claimant agency issuing the same. A manufacturer who is notified that his authorization has been reduced or cancelled must immediately reduce or cancel delivery orders which he has placed under his authorization to the extent necessary to bring scheduled deliveries within the authorized amount.

(4) A vehicle manufacturer's authorization for tires may be increased by the War Production Board or claimant agency issuing the same at any time during the quarter covered by the authorization.

In placing orders under an increase in authorization, a vehicle manufacturer must certify to the producer that he does so under "Increase dated -----," and in addition, must use the above certification for vehicle manufacturers signed by an authorized official. This may be done by preceding the certification with "Increase dated -----" (inserting date of increase). If the vehicle manufacturer is unable to place his certified order for additional tires, it may be referred to the War Production Board, for placement.

The procedure described in (2) above may be followed in authorizing a manufacturer of tire mounted components to receive tires under the increase, but the increase must be identified by date in the certification.

(5) No manufacturer shall certify an order for original equipment tires until he has received his authorization under this order.

#### Replacement

(i) *Replacement by procuring claimant agency.* In order to receive tires for replacement purposes under its allotment for any quarter, a claimant agency which purchases tires must certify to its supplier on or before the 15th day of the month preceding the quarter in substantially the following form signed by an authorized official:

Agency identification symbol ----- The undersigned certifies that the claimant agency identified by the above symbol is authorized to procure the following tires for replacement during the quarter commencing -----, 1944 and that the tires have been charged against its allotment for that period:

Size	Ply	Type	Quantity
------	-----	------	----------

#### Open Capacity and Unplaced Orders

(j) *Placement against open capacity.* Unplaced certified orders may be referred to the War Production Board, for placement on the basis of open capacity reports received from producers. Unplaced orders must be received by the War Production Board on or before the 20th day of the month preceding the first month of the quarter for which the orders are certified.

(k) *Report by producer of his open capacity.* Each producer shall report to the War Production Board, by letter not later than the 20th day of the month preceding the first month of the quarter, the open capacity he has available for the production of tires in each group and sub-group, after making provision for the scheduling of all orders placed with him as of the last day for placement of orders for production during the quarter. This report shall be based upon the percentage allocation of his production facilities made by directive issued to him under paragraph (e).

#### Producer's Acceptance and Shipment of Orders

(l) *General restrictions on acceptance.* Unless otherwise directed under the provisions of this order, no producer shall accept or fill any orders for tires except: (1) Orders certified under paragraphs (h) or (i) and presented to him within the prescribed time for placement; (2) orders for indirect military replacement.

Orders certified under paragraphs (h) or (i) must be presented not later than the 15th day of the month preceding the first month of the quarter in which shipments are to be made, except certified orders based upon an increase in a vehicle manufacturer's authorization,

which may be presented at any time during the quarter.

(m) *Acceptance or fulfillment of orders in excess of authorized production.* No producer shall accept or fill any orders for tires to be delivered in any quarter in excess of the percentage allocation of his facilities for the particular class of order established by his production directive issued under paragraph (e), unless otherwise directed under the provisions of this order. No producer shall accept orders in excess of 100% of his expected production for the quarter.

(n) *Limitation on size of shipments.* No producer may ship in any calendar month to a vehicle manufacturer or claimant agency more than 40% of the tires in any size or type scheduled by him for shipment during the quarter to the particular manufacturer or agency under certified orders unless he can do so without interfering with other certified orders on his schedule. Shipments for indirect military replacement may be made only to the extent that the shipments do not interfere with the producer's frozen schedule under paragraph (p).

#### Scheduling Provisions

(o) *Directions by claimant agency.* A claimant agency which purchases tires may issue the following written directions to a producer: (1) Diverting a particular shipment of tires scheduled for its account by the producer; (2) changing tire sizes to be produced for its account within a particular sub-group but only if the production capacity required and the total number of tires scheduled for its account are not increased by the change.

(p) *Frozen production schedule.* On the first day of the quarter, each producer's production schedule shall become a frozen schedule within the meaning of Priorities Regulation 18 for the quarterly period, and may not be altered except as provided in that regulation. A producer may, however, accept certified orders based upon an increase in a vehicle manufacturer's authorization unless the production or shipment of any such orders will interfere with his frozen schedule. In addition, written directions may be issued by a claimant agency under paragraph (o).

The following orders shall automatically become part of a producer's frozen schedule:

(1) Orders for original equipment tires which have been certified under paragraph (h) and which the producer has accepted and agreed to ship during the quarter.

(2) Orders placed with him by the War Production Board on the basis of his open capacity report for the quarterly period.

(3) Orders for replacement tires which he has accepted and agreed to fill during the quarterly period.

(q) *Other scheduling provisions.* With respect to the production or shipment of tires, the War Production Board may notwithstanding any other order, preference rating, directive, rule, or regula-



tion (except Priorities Regulation No. 18) of the War Production Board or other Governmental agency:

(1) Direct the return or cancellation of any purchase order on the books of a producer.

(2) Direct changes in the production or shipping schedule of a producer.

(3) Cancel purchase orders placed with one producer and direct that they be placed with another producer.

#### Miscellaneous Provisions

(r) *Effect of preference ratings.* Within the limits established by his production directive, a producer shall accept orders certified under paragraphs (h) and (i) in the order in which they are received by him without regard to preference ratings.

(s) *Status of unfilled orders at end of quarter.* Unless authorized in writing by the War Production Board, no producer shall carry over any order which he has accepted for delivery during a particular quarter and which he has been unable to produce and ship during that quarter to the following quarter.

(t) *Duplication of orders.* No purchaser of tires shall duplicate an order for tires in any group or sub-group even though he intends to cancel or reduce his orders to the authorized or allotted amount prior to delivery.

(u) *Use of producer's interchangeable facilities.* A producer shall use his interchangeable facilities in accordance with List 6, Appendix II, Rubber Order R-1 as amended.

(v) [Deleted May 31, 1944.]

(w) *Applicability of regulations.* Except as otherwise provided, this order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board as amended from time to time.

(x) *Appeals.* Any appeal from the provisions of this order shall be made in writing to the Rubber Bureau, War Production Board, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(y) *Communications.* All reports required to be filed under this order and all communications concerning this order shall, unless otherwise directed, be addressed to the Production and Priorities Department, Rubber Bureau, War Production Board, Washington 25, D. C., Reference: Order R-1.

Issued this 16th day of September 1944.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

#### TABLE I

All original equipment tires for the following products and programs will be distributed by the War Production Board through its Industry Divisions and vehicle manufacturers should direct their applications to the War Production Board, Washington 25, D. C., At-

tention: the appropriate Industry Division, regardless of the claimant agency for which the vehicle will be produced.

The Office of Operations Vice Chairman is designated as the claimant for the programs listed in Table I to the extent that they involve the manufacture of rubber-borne vehicles and equipment (indirect military only) having tires in the groups subject to allotment as part of the original equipment, except for Foreign Economic Administration, Economic Warfare or as otherwise noted in the table:

AUTOMOTIVE DIVISION		
Program symbol	CMP code	Product description
B-4.....	251	Automotive maintenance equipment.
B-4.....	256	Aircraft ground servicing equipment.
B-4.....	400	Diesel and gasoline engine driven generator sets.
AUTOMOTIVE (C/O OCO-D) <sup>2</sup>		
S-9.....	*763	Trucks and truck-tractors, highway type. <sup>4</sup>
S-9.....	764	Off-the-highway motor vehicles.
S-9.....	*765	Truck trailers, highway type. <sup>4</sup>
S-9.....	*767	Third axle attachments for trucks. <sup>4</sup>
		Other vehicles scheduled on Form GA-1188.
BUILDING MATERIALS DIVISION		
B-7.....	646	Hand tools (wheelbarrows).
B-7.....	742	House trailers.
CONSTRUCTION MACHINERY DIVISION		
B-9.....	308	Construction equipment, tractor-mounted.
G-1.....	309	Construction equipment, specialized.
G-1.....	310	Construction material mixers, pavers, spreaders.
G-1.....	311	Construction material processing equipment.
B-8.....	312	Power, cranes, shovels, etc.
G-1.....	313	Scrapers, maintenance and graders.
B-8.....	316	Drilling and boring machinery.
CONSUMERS DURABLE GOODS DIVISION		
G-2.....	110	Power cycles.
G-2.....	484	Lawn mowers.
G-2.....	583	Commercial food preparation and service equipment.
FARM MACHINERY AND EQUIPMENT DIVISION		
A-2.....	*319	Industrial tractors, wheel type. <sup>4</sup>
A-2.....	*450	Earth working, fertilizing, spraying, etc. machinery. <sup>4</sup>
A-2.....	*451	Farm elevators, harvesting, haying machinery. <sup>4</sup>
A-2.....	*471	Wheeled tractors, farm. <sup>4</sup>
A-2.....	*452	Farm wagons, irrigating equipment, pumps, etc.
GENERAL INDUSTRIAL EQUIPMENT DIVISION		
G-7.....	138	Compressors and dry vacuum pumps.
J-5.....	145	Conveyors and conveying systems.
J-5.....	147	Industrial hand-operated trucks and casters.
J-5.....	148	Industrial trucks and tractors, power-operated.
J-5.....	149	Industrial fans, blowers and exhausters.
J-5.....	163	Industrial spraying equipment.
J-5.....	167	Industrial lubricating equipment.
J-5.....	236	Logging and sawmill machinery and power pulpwood saws.

TABLE I—Continued

#### GENERAL INDUSTRIAL EQUIPMENT DIVISION—con.

Program symbol	CMP code	Product description
J-1.....	366	Welding equipment and apparatus, electric.
G-6.....	401	Portable motor generator sets.
J-3.....	406	Motor control equipment and portable rectifiers.

#### GOVERNMENT DIVISION

S-4.....	681	Sewer cleaning machinery.
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#### MINING DIVISION

J-7.....	300	Shuttle cars.
J-7.....	301	Cutting machines (and trucks).
J-7.....	315	Coal drills and core drills.

#### OFFICE OF OPERATIONS VICE CHAIRMAN (C/O P., A., W.)<sup>3</sup>

P-2.....	137	Petroleum dispensing pumps.
P-2.....	317	Petroleum machinery and equipment.

#### PLUMBING AND HEATING DIVISION

J-8.....	923	Portable unit heaters.
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#### SAFETY AND TECHNICAL EQUIPMENT DIVISION

J-6.....	107	Motorized fire apparatus.
J-6.....	434	Mobile X-ray equipment.
J-6.....	613	Surgical and medical equipment.
J-6.....	669	Surgical and medical supplies.

#### SERVICE EQUIPMENT DIVISION

S-4.....	428	Vacuum cleaners.
S-4.....	483	Floor finishing equipment.

#### TOOLS DIVISION

K-7.....	146	Cranes and hoists.
K-7.....	363	Foundry machinery.

#### TRANSPORTATION EQUIPMENT DIVISION

K-8.....	164	Railroad and transit maintenance-of-way equipment.
K-9 or T-4.....	*754	Motor buses. <sup>4</sup>
K-9 or T-4.....	*756	Trolley buses. <sup>4</sup>

<sup>1</sup> This is the program symbol under which authorization for tires for original equipment in these groups will be issued, regardless of the symbol under which the order for the vehicle was placed.

<sup>2</sup> WPB-3663 applications for tires for vehicles in CMP codes 763, 764, 765, and 767 should be addressed to War Production Board, Automotive Division, c/o Office, Chief of Ordnance, Detroit 32, Michigan, and should be marked "Route Direct."

<sup>3</sup> WPB-3663 applications for tires for vehicles in CMP codes 137 and 317 should be addressed to the Petroleum Administrator for War, Washington 25, D. C.

<sup>4</sup> The Office of Defense Transportation is claimant for tires for highway vehicles in CMP codes 763, 765, 767, 754 and 756.

<sup>5</sup> The War Food Administration is claimant for tires for vehicles in CMP codes 319, 450, 451, and 471 for on-farm use within the United States.

Office of Operations Vice-Chairman is also designated as Claimant for replacement tires for miscellaneous off-the-highway (including in-plant) vehicles and equipment (indirect military only).



Chapter XI—Office of Price  
Administration

PART 1381—SOFTWOOD LUMBER

[2d Rev. MPR 19,<sup>1</sup> incl. Amdts. 1-4]

SOUTHERN PINE LUMBER

This compilation of 2d Revised Maximum Price Regulation 19 includes Amendment 4, effective September 19, 1944. The amended portions are indicated by underscoring or notes.

In the judgment of the Price Administrator, the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328. The standards and specifications used in this regulation were, prior to such use, in general use in the Southern pine lumber industry. A statement of the considerations involved in the issuance of this regulation, issued simultaneously herewith, has been filed with the Division of the Federal Register.<sup>2</sup>

§ 1381.201 *Maximum prices for southern pine lumber.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, Second Revised Maximum Price Regulation No. 19 (Southern Pine Lumber), which is annexed hereto and made a part hereof, is hereby issued.

SECOND REVISED MAXIMUM PRICE REGULATION  
No. 19—SOUTHERN PINE LUMBER

ARTICLE I—SCOPE OF REGULATION

Sec.

1. Prices higher than ceiling prohibited.
2. What transactions are covered.
3. What products are covered.
4. What persons are covered.

ARTICLE II—MAXIMUM PRICES AND TERMS OF SALE

5. Basic prices and cash discount.
6. Distributors' direct-mill sales.
7. Addition for direct-mill retail sale.
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ARTICLE VI—APPENDIX C: TABLE OF ESTIMATED  
WEIGHTS

<sup>1</sup> 9 F.R. 1162.

<sup>2</sup> Statements of consideration are also issued simultaneously with amendments. Copies may be obtained from the Office of Price Administration.

AUTHORITY: Secs. 1 to 22, inclusive (§ 1381.201), issued under 56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681.

ARTICLE I—SCOPE OF THE REGULATION

SECTION 1. *Prices higher than ceiling prohibited.* (a) On and after February 4, 1944, regardless of any contract or other obligation, no person shall sell or deliver, and no person shall buy or receive any Southern pine lumber for direct-mill shipment at prices higher than the ceiling prices fixed by this regulation, and no person shall agree, offer or attempt to do any of these things.

(b) Prices lower than the ceiling prices may, of course, be charged and paid.

SEC. 2. *What transactions are covered.* (a) This regulation covers, under the name of "sales for direct-mill shipment" all sales of Southern pine lumber, no matter who the seller is, and regardless of the quantity involved, except sales of Southern pine lumber which was part of the regular stock of a distribution yard at the time the sale was made.

Moreover, sales of shortleaf Southern pine boards, dimension, and timbers up to 8 x 8 inches, sold by sawmills which do not have planing mills or which customarily sell their lumber in rough green form, and which cut 4,000,000 feet or less of Southern pine lumber in 1943, are not subject to this regulation, but are subject to Maximum Price Regulation 19A,\* Log-Run Southern Pine Lumber. Any sawmill subject to this Second Revised Maximum Price Regulation 19 may on special application to the Lumber Branch, Office of Price Administration, Washington, D. C., be granted permission to price all his sales of Southern pine lumber under the log-run prices in Maximum Price Regulation 19A.

[Paragraph (a) amended by Am. 2, 9 F.R. 2915, effective 3-16-44]

(b) *How to tell a mill from a distribution yard.* The term "mill" as used here, covers what are known in the trade as sawmills, planing mills and concentration yards. Three types of establishments are described below: the first, (1) a typical sawmill or planing mill; the second (2) a typical concentration yard; and the third, (3), a typical distribution yard. An establishment which resembles (1) or (2) more than it does (3) is considered a mill; and one which resembles (3) more than it does (1) or (2) is considered a distribution yard.

(1) "A typical sawmill or planing mill" is an establishment which is chiefly engaged in manufacturing lumber from logs or rough lumber by sawing or planing; which is located in or near a lumber producing area; which makes and sells chiefly Southern pine and associated species of lumber;

(2) "A typical concentration yard" is an establishment which concentrates and prepares lumber for commercial shipment, which keeps in stock mostly Southern pine and associated species of lumber, which has its lumber brought in

chiefly in rough green form by truck from small local sawmills and sells chiefly for rail and/or full truck-load shipment and which has been located at its particular site to be near the lumber producing area;

(3) "A typical distribution yard" is a wholesale or retail lumber yard which gets lumber from mills or other yards; unloads, sorts, and resells or redistributes it; which regularly maintains a varied stock of lumber from different regions; which gets its lumber, except for local species, mostly by rail and sells mostly for truck shipment; which is equipped to make quick deliveries of many different items of lumber; and which had been located at its particular site in order to be near a lumber consuming area.

(c) *New yards or changed status.* In order to prevent violation of this regulation by unnecessary routing through yards, the Office of Price Administration will not recognize distribution yards, either new or resulting from a change in operations, set up after May 24, 1943, unless the yard writes to the Lumber Branch of the Office of Price Administration, Washington 25, D. C., and proves that it satisfies the requirements of the definition and that the purpose is not to get around this regulation by means of unnecessary yard business. Until approval is received, the new yard cannot consider itself a distribution yard for the purpose of this regulation.

SEC. 3. *What products are covered.* This regulation covers all items of Southern pine lumber, whether the item is specifically named in the price tables or not (except switch ties and cross ties, which are subject to Second Revised Maximum Price Regulation 216\*—Railroad Ties).

This means all lumber of the species included in the following definitions of shortleaf and longleaf yellow pine (the term lumber as used in this regulation includes mouldings):

[Above paragraph amended by Am. 3, 9 F.R. 6232, effective 6-12-44]

(a) "Shortleaf yellow pine" means the species of shortleaf pine (*Pinus echinata*), loblolly pine (*Pinus taeda*), slash pine (*Pinus caribaea*), such longleaf pine (*Pinus palustris*) as contains less than six annual rings per inch and less than one-third summerwood, or any other pine species, (except longleaf yellow pine, as defined in paragraph (b) of this section) known commercially as "Southern pine."

(b) "Longleaf yellow pine" means the botanical species of *Pinus palustris* which contains not less than six annual rings per inch and not less than one-third summerwood.

SEC. 4. *What persons are covered.* Any person who makes the kind of sale or purchase described above, for himself or others, is subject to this regulation. The term "person" includes an individual, corporation, partnership, as-

\* 7 F.R. 7097, 7368, 8199, 8403, 8948, 9130, 10782; 8 F.R. 434, 7268, 12936, 16209; 9 F.R. 1526, 3342, 7943.

\* 9 F.R. 2922, 2947, 7852.



sociation or any other organized group, their legal successors and representatives, the United States or any government or any of their political subdivisions or any agency of any of the foregoing.

#### ARTICLE II—MAXIMUM PRICES AND TERMS OF SALE

SEC. 5. *Basic prices and cash discount*—(a) *Basic prices*. The maximum f. o. b. mill prices for shortleaf Southern pine lumber are set forth in Article IV and for longleaf Southern pine lumber in Article V.

"F. o. b. mill" means loaded on cars if any part of delivery is by rail, or loaded on trucks if delivery is entirely by truck.

[Paragraph (a) amended by Am. 2, 9 F.R. 2915, effective 3-16-44]

(b) *Cash*. If cash is paid the maximum price must be reduced by the seller's August 1941 cash discount. When a seller was not in business in August 1941, 2% cash discount for payment in 10 days shall be allowed. On specific written allocations issued by the Office of Chief of Engineers, War Department, the terms 30 days net may be used by the seller regardless of his established practice.

(c) *Shortleaf Southern pine lumber produced in Virginia*. For shortleaf Southern pine lumber produced in the State of Virginia add \$2.50 per M'BM to the f. o. b. mill prices set forth in Article IV, except that no addition may be made to the prices in Tables 3A, 9, 9A, 9B, 10, 11, 12 and O. G. Batts in Table 4. This addition shall not be made, however, for the purpose of computing maximum prices under Second Revised Maximum Price Regulation 215,\* Distribution Yard Sales of Softwood, except by yards located in Virginia.

[Paragraph (c) amended by Am. 2, 9 F.R. 2915, effective 3-16-44]

(d) *Combination grades*. (1) Lumber sold in a combination of grades may not be sold above the maximum price for the lowest priced grade actually named in the combination except as noted below in subparagraph (2) for the grade "No. 2 Common and better." For example, the maximum price for lumber sold as No. 1 Common and better is the maximum price fixed for No. 1 Common lumber. But it is permissible to sell a combination of grades where the exact quantity of each grade shipped is separately shown on the invoice and segregated in the car by strips (except timbers) or otherwise made easily identifiable to the purchaser and separately tallied (tally card to be included in car), in which case the appropriate ceiling price for the quantity of each grade shipped may be charged.

(2) Any mill may sell dressed dry Southern pine lumber on a combination grade of No. 2 Common and better containing up to 15% of No. 3 Common at not more than the prices established in Tables 1 and 2 for No. 2 Common. This combination grade must contain all of

the upper grades which are the product of the log and no mill electing to sell on this combination grade may sell any lumber at prices in excess of the No. 2 Common prices specified in Tables 1 and 2 during the period for which it is authorized to sell on the combination grade. It may, however, during this period sell grades lower than No. 2 Common at the grade prices specified in the Tables 1 and 2.

Any mill electing to sell on the combination grade No. 2 Common and better must apply for authorization to the Lumber Branch, Office of Price Administration, Washington, D. C. before May 1, 1944 to obtain an authorization number which must thereafter appear on all of its invoices for all its sales of Southern pine lumber. Any mill granted authorization to sell on this combination grade of No. 2 Common and better must give notice of at least ninety days to the Lumber Branch, Office of Price Administration, before it may return to the practice of selling on the regular grades.

The Lumber Branch shall deny the privilege of returning to the practice of selling upon the regular grades unless evidence is presented (1) that the mill has inspectors who are qualified to grade, (2) that the operation is so set up that a good grading job can be done, and (3) that the return to the practice of selling on grade is not for the purpose of selling an accumulation of upper grades withheld from combination grade sales in the past.

[Paragraph (d) amended by Am. 2, 9 F.R. 2915, effective 3-16-44]

(e) *Inspection certificates required on sales of certain grades*. Any shipment of Southern pine lumber priced in Tables 1, 2, 3A, 7, 14, 15, 16A and 21 which does not bear the grade mark of a qualified inspection agency as provided in Federal Specification MM-L-751c (May 20, 1942), must either be accompanied by a certificate of inspection by inspection agency, which has been accepted as satisfactory by any Federal purchasing organization, or be inspected by an inspector from the Federal organization making the purchase, if the shipment contains either (1) 30% No. 1 common and higher grades, or (2) 15% C and higher grades, or (3) 10% B and better. The certificate of inspection must cover all lumber in the shipment. In the absence of such a certificate, where the lumber is not grade marked as specified above, lumber invoiced as No. 1 Common and higher grades in any such shipment may not be sold at prices higher than the prices provided in such tables for No. 2 Common.

Federal Standard Stock Catalog, section IV, (Part 5) "Federal Specification For Lumber and Timber; Softwood", MM-L-751c, reads in part as follows:

#### E. Detail requirements.

E-1. Softwood lumber shall conform to the grading rules of the various lumber associations in effect at the date of invitation for bids where such grading rules are approved by the Central Committee on Lumber Standards as in conformance with "American Lumber Standards" \* \* \*

#### F. Method of inspection.

F-1. A Federal organization buying softwood lumber shall either require the firm or

individual furnishing the lumber to meet the provisions of one of the following three methods of inspection procedure or may leave to the firm or individual furnishing the lumber the choice of any one of the three methods:

(1) The order may specify that each piece of lumber in the shipment must be grade-marked and also marked with the registered trade-mark of either the association or bureau of the association under whose rules it is graded or of another inspection agency satisfactory to the Federal organization making the purchase.

(2) The order may specify that the shipment must be accompanied by a certificate of inspection issued either by the association or bureau of the association under whose rules it is graded or by another inspection agency satisfactory to the Federal organization making the purchase.

(3) The order may specify that inspection will be made by an inspector from the Federal organization making the purchase.

[Paragraph (e) amended by Am. 2, 9 F.R. 2915, effective 3-16-44]

(f) *Tally card requirement*. Every person selling any Southern pine lumber for direct-mill shipment shall post within the freight car, truck, or other means of transport, a tally card showing the point of origin of the shipment and a complete description of the lumber contained in the shipment including the species, condition, working and the number of pieces of each grade, size and length. Any working, specification or extra which affects the maximum f. o. b. mill prices must be mentioned in the description.

[Paragraph (f) added by Am. 3, 9 F.R. 6232, effective 6-12-44]

#### SEC. 6. Distributors' direct mill sales.

[Parenthetical paragraph added by Am. 2, 9 F.R. 2915, effective 3-16-44; deleted by Am. 4, effective 9-19-44]

(a) *Prices*—(1) *Wholesale-type sales*. On direct-mill sales of Southern pine lumber by a direct-mill distributor, there may be added to the regular f. o. b. mill prices established in this regulation 6 percent (but not more than \$3.00 per M'BM). The distributor's addition must be evened out to the nearest quarter-dollar per M'BM or in the case of plastering or fence lath to the nearest 5 cents per 1,000 pieces. For example, if the maximum price for a particular item is \$30.00 the ceiling price on a wholesale-type sale is \$31.75. This mark-up applies only to carload quantities if shipped by rail, or to quantities of 5 M'BM or more if shipped by truck or water.

(2) *Commission-type sales*. On commission-type direct-mill sales of Southern pine lumber made through a direct-mill distributor the ceiling price is 4 percent (but not more than \$2.00 per M'BM) higher than the regular f. o. b. mill prices established in this regulation. The distributor's commission must be evened out to the nearest quarter-dollar per M'BM or in the case of plastering or fence lath to the nearest 5 cents per 1,000 pieces. The mill must allow the direct-mill distributor a commission at least equal to the excess over the standard f. o. b. mill price. For example, if the maximum price for a particular item is \$30.00, the mill ceiling on a commis-

\* 8 F.R. 14145; 9 F.R. 221, 2553, 2948, 4227, 5314, 6457, 10094.



sion-type sale made through a direct-mill distributor is \$31.25 and the mill must allow the distributor at least \$1.25. This mark-up applies only to carload quantities if shipped by rail, or to quantities of 5 M'BM or more if shipped by truck or water.

(3) *Distribution yard sales.* On direct-mill sales of Southern pine lumber made by wholesale or retail distribution yards, a mark-up of 6 percent (but not more than \$3.00 per M'BM) may be made to the regular f. o. b. mill prices established in the regulation. The distributor's addition must be evened out to the nearest quarter-dollar per M'BM or in the case of plastering or fence lath to the nearest 5 cents per 1,000 pieces. This mark-up applies only to carload quantities if shipped by rail, or to quantities of 5 M'BM or more if shipped by truck or water. (As to smaller quantities, see section 7 below.)

[Subparagraphs (1), (2), and (3) amended by Am. 2, 9 F.R. 2915, effective 3-16-44]

(4) *Mill's price or realization.* This section 6 increases maximum prices only on sales by direct-mill distributors, or yards. The mill's price, or realization after deducting the 4 percent commission, may never be higher than the regular prices established in this regulation. The mill, of course, may sell at a price at which it will realize less than its regular ceiling.

(5) *Pyramiding prohibited.* The price additions permitted in this section 6 may not be made more than once to the regular f. o. b. mill price, regardless of the number of persons participating in the transaction. For example: If direct-mill distributor making a "commission-type" sale sells a car of \$30.00 lumber to a yard which, in turn, sells to a consumer for direct-mill shipment, the mill's ceiling price on the sale through the distributor is \$31.25 (4 percent addition) and the yard's ceiling price to the consumer is \$31.75 (6 percent addition). Note that the yard cannot add its 6 percent either to the \$31.25 on a purchase through a direct-mill distributor making a commission-type sale or to \$31.75 if the purchase was from a direct-mill distributor making a "wholesale-type" sale. In both cases, the 6 percent may be added only to the regular f. o. b. mill price of \$30.00.

Moreover, none of the additions in this section may be applied above the addition for direct-mill retail sales in section 7 below.

(6) *Exceptions.* No commission or addition, as provided in this section, may be charged, paid or collected in connection with any sale of lumber manufactured or concentrated by a mill or concentration yard controlled by the distributor, controlling the distributor or under common control with the distributor.

A direct-mill distributor who sells through another direct-mill distributor lumber from mills or concentration yards which he owns or controls, may not charge any mark-up, commission or addition provided in paragraphs (1), (2) and (3) above on sales of lumber produced by such mills or concentration yards or produced by any other person,

Such practice interposes unnecessary middlemen in the distribution of lumber and is a device to get the effect of higher-than-ceiling prices in violation of this section and of section 14 (a).

"Control" as used in this section includes all circumstances of common ownership or beneficial interest, profit or loss sharing arrangements, or control based on close family relationships.

[Subparagraph (6) amended by Am. 4, effective 9-19-44]

(b) *Definitions—(1) Direct-mill distributor.* A direct-mill distributor is (i) a person whose volume of wholesale-type and commission-type sales of lumber from March 1, 1943 to and including August 31, 1943 was at least 75 percent of his total volume of lumber sales during that period, or whose volume of wholesale-type and commission-type sales of lumber during that period was at least 5,000,000 board feet, (persons who were in the armed services or employed by CPA between these dates may use the six months' period immediately preceding their military induction or employment by CPA); or

[Subparagraph (1) amended by Am. 4, effective 9-19-44]

(ii) A person who has been granted special permission by the Office of Price Administration to sell as a "direct-mill distributor" as provided in paragraph (c) of this section 6.

(2) *"Wholesale-type" sale.* A "wholesale-type" sale is a sale in which the seller buys lumber in carload quantities from a mill or concentration yard, and takes title to and delivers the lumber to the buyer in substantially the same form.

(3) *Commission-type sale.* A "commission-type" sale is a sale through a direct-mill distributor, acting as a commission-man. For purposes of this section, a commission-man is a person who customarily represents and sells lumber in carload quantities for two or more mills or concentration yards, receives his compensation in the form of commissions based on the amount of the lumber sold, and is independent of both buyer and seller.

(c) *New distributors.* Any person who cannot meet the requirements of a "direct-mill distributor", as defined in paragraph (b) (1) (ii) of this section 6, may make special application to the Lumber Branch, Office of Price Administration, Washington 25, D. C. He may be given permission to qualify as a "direct-mill distributor", if he meets the following tests: He must provide evidence from banks or others, showing adequate financial responsibility. He must also fill orders with the Central Procuring Agency totaling at least 1,000,000 feet of Southern pine lumber for delivery within six months, to be shipped from mills which in 1942 produced less than 5,000,000 board feet of Southern pine lumber. In the case of mills which were not operating during substantially the entire year

of 1942, shipment must be made from mills whose capacity as rated by the Forest Service is less than 25,000 board feet per day. Final authorization will not be granted until the entire 1,000,000 feet of lumber has been successfully delivered within the six months period. Until final authorization is granted, the 6 percent or 4 percent addition to the maximum price, as the case may be, must be held in escrow by a bank or other third party, on all sales of lumber made by the distributor, and if the quantity is not successfully delivered within the six months, the 6 percent or 4 percent addition must be returned to the buyers.

The authorization will not be granted if it appears that the purpose of the application is to evade the regulation by interposing an unnecessary middleman in the distribution of lumber, who will not in fact render the services characteristically rendered by the type of distributor in question.

(d) *Licenses.* Authorized distributors are licensed under section 20. This means that if, for example, they ship lumber that is not up to grade, specification and tally, they may, subject to the appropriate license suspension proceedings, lose their right not only to charge the price additions but even to continue in business.

(e) *Registration.* Any person qualifying as a "direct-mill distributor" under subparagraphs (b) (i) and (ii) of this section 6 must file a letter with the Lumber Branch, Office of Price Administration, Washington 25, D. C., before March 1, 1944, stating that he meets such requirements. On and after April 1, 1944, no person may make the additions permitted in this section 6 unless he has received a registration number from the Office of Price Administration. This registration number must, after April 1, 1944, be shown on all invoices covering distributors' direct-mill sales carrying the direct-mill distributors' addition.

This registration provision does not apply to distribution yards.

[Paragraph (e) amended by Am. 2, 9 F.R. 2915, effective 3-16-44; Am. 3, 9 F.R. 6232, effective 6-12-44]

**Sec. 7. Addition for direct-mill retail sale.** (a) An addition of \$3.50 per M'BM (but no charge for delivery) may be made by a mill or concentration yard on a sale of 5 M'BM or less only within a radius of 25 miles from the seller's establishment to any consumer or buyer (except a box or container manufacturer) who does not purchase for resale, where the shipment originates at a mill.

[Paragraph (a) amended by Am. 3, 9 F.R. 6232, effective 6-12-44]

(b) An addition of \$3.50 per M'BM may be made by any distribution yard on sales of less than carload quantities if shipped by rail, or less than 18 M'BM if shipped by truck or water to any consumer or buyer within a radius of twenty-five miles from the distribution yard who does not purchase for resale where the shipment originates at a mill and delivery is made directly to the buyer or a site specified by him, and the seller;



(1) Delivers the lumber to the job site, if required by the buyer, at such time and in such manner as the buyer specifies;

(2) Gives the buyer the privilege of exchanging lumber and returning unused material;

(3) Agrees to make good any shortage promptly from stocks kept on hand for this purpose.

(4) Where the addition of \$3.50 per M'BM is applied on sales under this paragraph the additions for direct-mill distributor's sales provided for in section 6 are not applicable.

[Subparagraph (4) added by Am. 2, 9 F.R. 2915, effective 3-16-44]

(c) For the purpose of this and other provisions contained in this regulation the size of the sale is determined by the total quantity involved in the transaction without regard to whether it is broken up into smaller orders or deliveries. The amount delivered at a particular time does not determine the quantity. For example, if the buyer and seller at the time the sale is negotiated know that the quantity to be bought for a particular job will run to 20 M'BM the sale is one for 20 M'BM even though it may be split into 5 orders of 4 M'BM each or requisitioned in quantities of 4 M'BM. And this is true regardless of whether 5 different deliveries, in loads of 4 M'BM each are made on different days.

**SEC. 8. Transportation charges—(a) Rail charges.** (1) Only two methods of selling are recognized by this regulation. Any other method is prohibited, as a device to evade the ceiling by manipulation of freight.

The two permitted methods are: on a delivered basis using the estimated weights in Article VI, or on an f. o. b. mill basis with actual freight (figured, of course, on actual weights) to be paid by the purchaser.

The two methods may not be combined in a single transaction; that is, a seller may not sell on a basis which gives him the benefit of favorable estimated weights but requires the use of actual weights on items where estimated weights would be unfavorable to him. Note that sales described as "ceiling delivered", or as f. o. b. mill with freight allowed or included to a given destination, are to be treated as sales on a delivered basis. In such cases, the given estimated weights must be used.

(2) The estimated green weights may be used only when green lumber is actually specified and shipped.

(3) The transportation charge, when estimated weights are used, must be evened out to the nearest quarter-dollar per M'BM (or nearest 5 cents per 1,000 pieces of lath).

(b) *Common or contract carrier (other than rail).* Where transportation is by common or contract carrier (other than rail) the only rule is that actual cost of transportation may be added to f. o. b. mill ceiling.

(c) *Private truck.* When shipment is by truck owned or controlled by the seller, the following amounts may be added for transportation: For distances

up to and including 10 miles, \$1.50 per M'BM, over 10 and up to and including 20 miles, \$2.00 per M'BM and over 20 and up to and including 30 miles, \$2.50 per M'BM. Where the distance is greater than 30 miles, the seller may charge the amount of the railroad charge at the carload rate for the most similar haul or \$3.00 per M'BM, whichever is greater. Distance, as used in this paragraph, means the distance from the mill to the point of destination as measured by the speedometer. No addition may be made for the return trip.

(d) *Trucking to rail or water shipping point.* When a truck haul precedes a rail or water shipment, as when a mill located away from a railhead hauls lumber by truck to the railroad, no addition may be made for the truck haul. However, in the following two cases a mill may apply for special permission to make an addition:

(1) Where the mill was located away from rail connections because it specialized in water-borne lumber, and where shortage of shipping has forced it to operate by rail;

(2) Where a mill's rail connection has been abandoned since September 5, 1941, and it has no comparable rail shipping point.

The application should be made by letter to the Lumber Branch of the Office of Price Administration, Washington 25, D. C., and may be acted upon by letter or telegram. The addition may not be made on quotations or sales until permission has been received.

(e) *Truck delivery after rail haul.* When truck delivery to yard or job site follows a rail haul, and is specified in the order, the actual cost of truck delivery may be added. This may include the actual cost of handling and reloading involved in transfer from rail cars to trucks.

(f) *All-truck haul.* When an all-truck haul ends in delivery to the job site, no special addition may be made above the charges provided in paragraphs (b) and (c) of this section.

**SEC. 9. Grade marking and anti-stain—**

(a) *Additions for grade marking.* An addition of \$1.00 per M'BM may be charged for lumber that bears the grade mark of an inspection agency qualified in accordance with "Federal Specification For Lumber And Timber; Softwood", MM-L-751c (May 20, 1942), except lumber priced in Tables 10 and 23 (Standard Plastering Lath and Fence Lath); Table 11 (Byrkit Lath); Tables 12 and 24 (Bed Slats); and O. G. Batts in Tables 4 and 17.

[Paragraph (a) added, former (a) deleted by Am. 2, 9 F.R. 2915, effective 3-16-44]

(b) *Anti-stain.* For chemical anti-stain treatment, an addition of 50 cents per M feet board measure may be made to the price of air dried or green lumber (but not of kiln dried lumber). For lumber 3 x 3" to 10 x 10" or 2 x 14" and wider, the permissible addition is \$1.00 per M; 3 x 11" and larger, \$2.00. This addition may be made only on lumber shipped from mills which have equipment for proper and thorough chemical

anti-stain treatment, and only on lumber which has been chemically treated by dipping in a vat containing a chemical solution. Treatment by spraying (except of timbers) does not entitle the seller to the addition.

Since it is difficult to prove by examination of a piece of lumber after dressing whether it has been chemically anti-stain treated, it will be considered a violation of this regulation to add the anti-stain addition if the mill did not have, at the time the lumber was manufactured, a chemical dipping vat filled with a chemical solution through which its lumber moves as a part of its routine method of manufacture. Also, the addition will be considered a violation unless the mill can show invoices for the purchase of anti-stain chemicals in sufficient quantity to account for the amount of lumber produced by the mill. If it is shown that the mill does not have this kind of anti-stain equipment, or cannot show evidence of having purchased anti-stain chemicals in a volume consistent with the amount of lumber produced, the seller automatically will be considered guilty of over-charging on all lumber which has been invoiced with the anti-stain addition, without reference to individual inspection of the actual lumber shipped. In addition to liability for treble damages for this over-charge on all lumber shipped, the seller may also, under certain circumstances, be subject to fine and imprisonment and, after warning, the possible revocation of his license to sell lumber.

[Paragraph (b) amended by Am. 1, 9 F.R. 2026, effective 2-26-44]

**SEC. 10. Special rule on averaging out freight.** When a single order, for which a single flat delivered price was quoted and accepted, is shipped from two or more mills to a single destination on varying freight rates, the seller may average-out the transportation charges. For example, if a wholesaler bids per M'BM \$34.75 (including 6 percent markup) on a single order of a hundred M'BM of lumber, the mill ceiling price being \$30.00 per M'BM and the estimated freight \$3.00, he can ship half of it on a rate resulting in a \$2.00 freight charge and half on a rate resulting in a \$4.00 freight charge.

Where this practice is adopted, the seller must observe all of the following conditions:

(a) Each invoice must state that the particular shipment is part of a larger order and identify the order. It must also show the individual rates for each shipment or delivery.

(b) The transportation charges which may be made and collected for each shipment or delivery, on account, must not exceed the average transportation charge figured on the entire order or the actual transportation charge for the particular shipment based upon the permitted estimated weights, whichever is the lower.

(c) Upon completion of the order the seller must render a final invoice showing the individual f. o. b. mill prices separately, the amount shipped from each mill, the freight charge for each ship-



ment, and a reconciliation of the total amount so computed with the agreed delivered selling prices and also with the maximum prices permitted by this regulation. Final payment and all necessary adjustments between buyer and seller are to be made upon the final reconciliation.

**SEC. 11. Special pricing rules.** (a) Where the buyer specifies restricted lengths and the shipment or orders fail to conform, the entire shipment must be priced at the random length price (unless the agreed price is lower).

(b) Where the buyer orders a random length shipment, and the given percentages of lengths as specified in footnotes to some of the price tables are not met because there is too large a percentage of shorts, the excess shorts must be priced at the separate prices for the short lengths.

(c) Where random length shipments required to average a specified length (e. g., 12' in the Board Table) fall short of this average, the price may not exceed that of the nearest even length below the average length actually shipped.

(d) Where the order does not specify whether longleaf or shortleaf is required, the seller may only charge shortleaf prices.

(e) Where the order fails to specify the grade required, the seller may only ship and charge for No. 2 Common, unless otherwise agreed.

(f) Where the invoice does not specify the grade shipped or delivered, the price of the lowest grade in the shipment shall apply to the whole order.

(g) Where moisture content requirements are waived by the purchaser the maximum price for the whole order, shipment or delivery shall be the price herein established for green lumber. However, if the waiver applies to a specified part of the order, green lumber prices shall apply only to such part. For example, if a buyer orders 100,000 feet BM of Southern pine and the order specifies 60,000 feet dry lumber and 40,000 feet MCW, the green lumber prices apply only to the 40,000 feet. In any event where a "moisture content waived" sale is made on a delivered basis, the seller may only use the given estimated weights for dry lumber in computing transportation costs.

**SEC. 12. F. A. S. sales.** On all F. A. S. sales of lumber to be shipped outside of continental United States one addition of \$3.50 per M'BM may be made. This addition may be made only if the seller, at the request of the buyer, bears the expense of so many of the following services as are actually to be performed: marking, bundling, assembling, switching, unloading, tallying, painting the ends, dock insurance and other services required for the proper dispatch of off-shore cargo. In other words, if the buyer actually bears the expense of any of these services because of the seller's failure to perform such service or services, the addition may not be made. However, if the buyer's requirements do not include or permit unloading and any dock services which may be incidental thereto, but all

other required services are performed, the addition shall be reduced to \$2.25.

**SEC. 13. What the invoice must contain—**(a) *Price.* All invoices must contain a sufficiently complete description of the lumber to show whether the price is proper or not. Any working, specification, or extra which affects the maximum f. o. b. mill or delivered prices must be mentioned in the description. The amount added for these does not have to be separately shown.

(b) *Charges for transportation.* In all delivered sales, the invoice must contain the:

- (1) Point of origin of shipment;
- (2) Destination;
- (3) Rail rate, if estimated weights are used; otherwise the actual amount added for transportation;
- (4) The words "direct-mill shipment".

(c) *Delivery and related charges.* Any separate charge which the seller is permitted to make for truck delivery after rail haul, or for trucking to railhead, must be separately shown on the invoice.

(d) *Distributors' direct-mill sales.* The invoice on any distributor's direct-mill sale must be plainly marked "wholesaler's direct-mill sale", or "commission-man's direct-mill sale" or "yard's direct-mill sale", as the case may be, and must show the name of the direct-mill distributor.

(e) *Direct-mill retail sale.* If the "direct-mill retail sale" mark-up is permissible and is added, this must be separately indicated in the invoice.

**SEC. 14. Prohibited practices—**(a) *General.* Any practice which is a device to get the effect of a higher-than-ceiling price without actually raising the dollar-and-cents price is as much a violation of this regulation as an outright over-ceiling price. This applies to changes in credit practices and cash discounts and to devices making use of commissions, services, transportation arrangements, premiums, special privileges, tying-agreements, trade understandings and the like.

(b) *Specific practices.* The following are some of the specific practices prohibited:

(1) Getting the effect of a higher price by changing credit or cash discount practices from what they were in August 1941. This includes decreasing credit periods or making greater charges for extension of credit.

(2) Refusing to ship except in higher grades or in specified or restricted random lengths, or in mixed cars, or under other circumstances which bring the seller an extra return.

(3) Selling as specified lengths or widths a specific lot or shipment of lumber which is substantially equivalent to random lengths or widths, or reselling intact as specified lengths or widths a specific lot or shipment bought by the seller as standard or random lengths or widths, unless specifically permitted in this regulation. This prohibition shall not apply to shipments or deliveries which have been sorted out as to widths and lengths and then resold.

[Subparagraph (3) added by Am. 3, 9 F.R. 6232, effective 6-12-44; former (3) revoked by Am. 2, 9 F.R. 2915, effective 3-16-44]

(4) Grading as a special grade lumber which can be graded as a standard grade; or wrongly or falsely grading or invoicing lumber.

(5) Making additions for special specifications, services, or other extras which are not specifically permitted.

(6) Refusing to sell on an f. o. b. mill basis, and insisting on selling on a delivered basis.

(7) Failing to invoice properly and in accordance with the requirements of this regulation.

(8) Unnecessarily routing lumber through a distribution yard.

(9) Quoting a gross price above the maximum price, even if accompanied by a discount the effect of which is to bring the net price below the maximum.

(10) Making additions contained in the footnotes to the tables in Articles IV and V unless the order expressly requires the working, grade, condition, service, treatment, specification, size, or length for which the addition is permitted.

(11) Getting a higher price by charging the buyer for ripping or resawing, or charging on the basis of an original size larger than the item actually delivered; (for example: charging the price of 4 x 4 ripped to 2 x 4 on a sale and delivery of 2x4's), except where the items ordered and delivered are nonstandard sizes not specifically priced in the tables. This prohibition has no application where the buyer specified the larger size to be ripped or resawn into items of smaller size and the resulting items are priced higher in the tables than the original larger size; for example, the buyer may order 1 x 4 x 12' No. 2 Common Shortleaf, priced at \$38.00 per M'BM ripped to 1 x 2 x 12'. By buying the larger size ripped the price to the buyer is lower (\$39.00) than it would have been had he ordered the 1 x 2 as such (\$41.00). In this example the maximum price is \$39.00.

[Subparagraph (11) amended by Am. 3, 9 F.R. 6232, effective 6-12-44]

(12) Making the buyer take something he does not want in order to get what he does want; for example, making a buyer who orders No. 2 Common take all the upper grades that develop.

(13) Breaking up an order or apportioning deliveries in order to get the \$3.50 direct-mill retail sale addition.

(c) *Adding commission to ceiling prohibited.* It is unlawful for any person to charge, receive or pay a commission for the service of procuring (including buying, selling, or locating lumber, or for any related service such as "expediting") which does not involve actual physical handling of lumber, if the commission plus the purchase price results in a total payment by the buyer of lumber which is higher than the maximum price of the lumber. For purposes of this regulation, a commission is any compensation, however designated, which is paid for the procurement of lumber. This prohibition has no application to section 6, *Distributors' direct-mill sales*, or to the case of a bona fide employer-employee relationship where the employee serves only one employer, in so far as lumber procurement is concerned, and where the compensation paid by the employer is a fixed salary and is not based



directly or indirectly on the quantity, price or value of the lumber in connection with which the service is rendered.

**SEC. 15. Adjustable pricing.** Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of shipment, but no person may deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after shipment.

**SEC. 16. Sales for export.** The maximum price at which a person may export any Southern pine lumber shall be determined in accordance with the provisions of the Second Revised Maximum Export Price Regulation<sup>8</sup> issued by the Office of Price Administration.

#### ARTICLE III—MISCELLANEOUS

**SEC. 17. Applications for adjustment and petitions for amendment—**(a) See Procedural Regulation No. 6<sup>9</sup> for adjustment provisions on certain government contracts and subcontracts.

[Paragraph (a) amended by Am. 3, 9 F.R. 6232, effective 6-12-44]

(b) **Petition for amendment.** (1) Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1<sup>10</sup> issued by the Office of Price Administration.

(2) In treating with petitions for amendment or adjustment, consideration will not be given to log and bolt costs which are higher than the applicable maximum purchase prices for logs and bolts established in Maximum Price Regulation 348 (Logs and Bolts),<sup>11</sup> or any revision or amendment of that regulation. This rule shall be followed regardless of whether the petitioner gets logs and bolts by purchasing them, logging his own standing timber, contracting for the logging of his own standing timber, or any other means. All petitions in any way based on the cost of logs or bolts must show the actual cost to the petitioner of logs and bolts received at his plant during the three months immediately prior to filing the petition, and the cost which would have been incurred by the petitioner if all of these logs and bolts had been purchased by him at ceiling prices. To figure these ceiling prices the petitioner should refer to Maximum Price Regulation 348, as amended, which fixes the maximum prices for purchases and sales of the kinds of logs and bolts received at his plant.

[NOTE: Supplementary Order No. 28 (7 F.R. 6619) provides for the filing of applications for adjustment or petitions for amendment based on a pending wage or salary increase requiring the approval of the National War Labor Board.]

**SEC. 18. What records must be kept.** All sellers of Southern pine lumber must keep records which will show a complete

<sup>8</sup> 8 F.R. 4132, 5987, 7662, 9998, 15193; 9 F.R. 1036, 9835.

<sup>9</sup> 9 F.R. 10628.

<sup>10</sup> 9 F.R. 10476.

<sup>11</sup> For pricing Southern Pine logs MPR 348 has been superseded by MPR 533-3, MPR 533-4, and MPR 533-6 depending upon the location of log production.

description of the items of lumber sold (i. e., grade, condition of dressing, quantity, etc.), the name and address of the buyer, the date of the sale and the price, for a period of two years. Buyers must keep similar records, including the name and address of the seller. Failure to comply with this provision shall constitute a violation of this regulation. Persons violating are subject to all penalties, actions and proceedings provided for by the Emergency Price Control Act of 1942 as amended, including a fine of not more than \$5,000 or imprisonment for not more than two years, or both.

**SEC. 19. Enforcement.** (a) Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, suits for treble damages, and proceedings for suspension of licenses provided for by the Emergency Price Control Act of 1942, as amended.

(b) War procurement agencies and their contracting or paying finance officers are not subject to any liability, civil or criminal imposed by this regulation. Persons who make sales covered by this regulation to war procurement agencies and buyers to whom lumber has been allocated by any such agencies are, however, subject to all the liabilities imposed by this regulation. "War procurement agencies" include the War Department, the Navy Department, the United States Maritime Commission and the Lend-Lease Section in the Procurement Division of the Treasury Department, or any of their agencies.

**SEC. 20. Licensing.** The provisions of Licensing Order No. 1<sup>12</sup> licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

[NOTE: Supplementary Order No. 42 (8 F.R. 4968) provides that no price regulation of the Office of Price Administration shall apply to sales or deliveries of any commodity or service made to Government agencies pursuant to secret contracts or subcontracts.]

**SEC. 21. Grades.** The grades and terms in this regulation are based on the 1939 standard specifications for Southern pine lumber of the Southern Pine Inspection Bureau, the 1923 Gulf Coast Classification, issued by the Southern Pine Inspection Bureau, and the 1934 standard specifications for grades of Southern pine lumber for freight cars and locomotives in accordance with the Association of American Railroads' recommended practice, issued by the Southern Pine Inspection Bureau.

[SEC. 21 amended by Am. 3, 9 F.R. 6232, effective 6-12-44]

**SEC. 22. Grades, services or extras not listed.** (a) If a seller wishes to sell a grade which is not specifically priced in the price tables, or wishes to make an addition for special workings, specifications, services, or other extras for which additions are not specifically permitted,

<sup>12</sup> 8 F.R. 13240.

he must apply to the Lumber Branch, Office of Price Administration, Washington 25, D. C. for a maximum price. He must provide the following information:

(1) The requested price;

(2) A complete description of the item to be priced;

(3) The price differential between it and the most comparable item in the price tables, between January 1 and August 1, 1941, from the seller's own records or if that is impossible, from the experience of the trade. If no established price differential existed, a detailed analysis of comparative value should be furnished.

(4) A true copy of the order or of customer's inquiry on the basis of which the application has been submitted.

(5) A statement by the purchaser that none of the grades specifically priced in the regulation will serve the purpose for which the stock is intended to be used, which purpose is to be stated; and that it has been his custom to purchase lumber on such special specifications.

(b) In each case where a special price is approved, an authorization number will be assigned which must appear on all final invoices covering shipments at such special price. Quotations and deliveries may not be made at the requested price until the price has been approved. Action on the request may be by letter or telegram.

(c) In all cases where special prices have been approved by the Lumber Branch of the Office of Price Administration under § 1381.212, paragraphs (f), (g) and (h) of Maximum Price Regulation 19, or section 20 of Revised Maximum Price Regulation 19, these special prices shall no longer apply if specific prices for the items are established by this regulation; but if no specific prices are established in the price tables, the price approved under the earlier regulation shall continue in effect. However, within ninety days after the issuance of this regulation, the Lumber Branch will assign authorization numbers for each special price previously approved and thereafter such authorization numbers must appear on all invoices covering shipments at such special prices. In all cases where a special price authorization has already been assigned a number by the Lumber Branch, no new number will be issued. Special prices are subject to cancellation by letter or telegram at any time.

[Paragraph (c) amended by Am. 2, 9 F.R. 2915, effective 3-16-44]

#### ARTICLE IV—APPENDIX A: SHORT LEAF YELLOW PINE LUMBER

The maximum prices for Shortleaf Yellow Pine Lumber, in straight or mixed carlots, f. o. b. mill, per M'BM, shall be as follows:

TABLE 1—BOARDS AND STRIPS

[S18, S28, S38, S48, S28 and Matched, or Shiplap, Standard or 3/4"; Air dried]

Grade	4 and 6'	8, 10, 12, and 14'	16'	18 and 20'
No. 1 common:				
4/4 Edge <sup>1</sup>	\$37.25	\$40.75	\$42.25	\$42.75
1 x 2 and 3'	40.00	44.00	45.50	46.00
1 x 4"	37.00	42.00	43.50	44.00
1 x 6 and 7'	39.00	42.00	43.50	44.00
1 x 8 and 9'	39.00	43.00	44.50	45.00
1 x 5 and 10'	39.50	45.00	46.50	47.00

See footnote at end of table.



TABLE 1—BOARDS AND STRIPS—Continued

Grade	4 and 6'	8, 10, 12, and 14'	16'	18 and 20'
No. 1 common—Con.				
1 x 12"	\$42.50	\$48.00	\$49.50	\$50.00
1 x 12"	44.00	53.00	54.50	55.00
No. 2 common:				
4/4 edge 1	35.25	38.00	39.00	40.75
1 x 2 and 3"	38.00	41.00	41.50	43.00
1 x 4"	35.00	38.00	38.50	40.00
1 x 6 and 7"	37.00	40.00	41.00	43.00
1 x 8 and 9"	37.00	40.00	41.00	43.00
1 x 5 and 10"	37.50	41.50	42.50	44.50
1 x 11"	40.50	44.50	45.50	47.50
1 x 12"	42.00	46.50	47.50	50.50
No. 3 common:				
4/4 edge 1	28.50	31.50	32.50	34.25
1 x 2 and 3"	30.00	33.00	34.00	36.00
1 x 4"	29.00	32.00	32.50	34.00
1 x 6 and 7"	30.00	33.00	34.00	36.00
1 x 8 and 9"	30.00	33.00	34.00	36.00
1 x 5 and 10"	30.50	34.50	35.50	37.50
1 x 11"	30.50	34.50	35.50	37.50
1 x 12"	31.00	35.50	36.50	39.50
Dunnage:				
4/4 edge 1	20.75	23.75	24.75	26.50
1 x 3"	22.00	25.00	26.00	28.00
1 x 4"	21.00	24.00	24.50	26.00
1 x 6 and 7"	22.00	25.00	26.00	28.00
1 x 8 and 9"	22.00	25.00	26.00	28.00
1 x 5 and 10"	22.50	26.50	27.50	29.50
1 x 11"	22.50	26.50	27.50	29.50
1 x 12"	23.00	27.50	28.50	31.50
No. 4 common:				
4/4 edge 1	19.75	22.75	23.75	25.50
1 x 3"	21.00	24.00	25.00	27.00
1 x 4"	20.00	23.00	23.50	25.00
1 x 6 and 7"	21.00	24.00	25.00	27.00
1 x 8 and 9"	21.00	24.00	25.00	27.00
1 x 5 and 10"	21.50	25.50	26.50	28.50
1 x 11"	21.50	25.50	26.50	28.50
1 x 12"	22.00	26.50	27.50	30.50
No. 1 common:				
5/4 and 6/4 edge 1	40.25	43.75	45.25	45.75
5/4 and 6/4 x 2 and 3"	43.00	47.00	48.50	49.00
5/4 and 6/4 x 4"	40.00	45.00	46.50	47.00
5/4 and 6/4 x 6 and 7"	42.00	45.00	46.50	47.00
5/4 and 6/4 x 8 and 9"	42.00	46.00	47.50	48.00
5/4 and 6/4 x 5 and 10"	42.50	48.00	49.50	50.00
5/4 and 6/4 x 11"	45.50	51.00	52.50	53.00
5/4 and 6/4 x 12"	47.00	56.00	57.50	58.00

TABLE 1—BOARDS AND STRIPS—Continued

Grade	4 and 6'	8, 10, 12, and 14'	16'	18 and 20'
No. 2 common:				
5/4 and 6/4 edge 1	\$38.25	\$41.00	\$42.00	\$43.75
5/4 and 6/4 x 2 and 3"	41.00	44.00	44.50	46.00
5/4 and 6/4 x 4"	38.00	41.00	41.50	43.00
5/4 and 6/4 x 6 and 7"	40.00	43.00	44.00	46.00
5/4 and 6/4 x 8 and 9"	40.00	43.00	44.00	46.00
5/4 and 6/4 x 5 and 10"	40.50	44.50	45.50	47.50
5/4 and 6/4 x 11"	43.50	47.50	48.50	50.50
5/4 and 6/4 x 12"	45.00	49.50	50.50	53.50
No. 3 common:				
5/4 and 6/4 edge 1	30.50	33.50	34.50	36.25
5/4 and 6/4 x 2 and 3"	32.00	35.00	36.00	38.00
5/4 and 6/4 x 4"	31.00	34.00	34.50	36.00
5/4 and 6/4 x 6 and 7"	32.00	35.00	36.00	38.00
5/4 and 6/4 x 8 and 9"	32.00	35.00	36.00	38.00
5/4 and 6/4 x 5 and 10"	32.50	36.50	37.50	39.50
5/4 and 6/4 x 11"	32.50	36.50	37.50	39.50
5/4 and 6/4 x 12"	33.00	37.50	38.50	41.50
Dunnage:				
5/4 and 6/4 edge 1	21.75	24.75	25.75	27.50
5/4 and 6/4 x 3"	23.00	26.00	27.00	29.00
5/4 and 6/4 x 4"	22.00	25.00	25.50	27.00
5/4 and 6/4 x 6 and 7"	23.00	26.00	27.00	29.00
5/4 and 6/4 x 8 and 9"	23.00	26.00	27.00	29.00
5/4 and 6/4 x 5 and 10"	23.50	27.50	28.50	30.50
5/4 and 6/4 x 11"	23.50	27.50	28.50	30.50
5/4 and 6/4 x 12"	24.00	28.50	29.50	32.50
No. 4 common:				
5/4 and 6/4 edge 1	20.75	23.75	24.75	26.50
5/4 and 6/4 x 2 and 3"	22.00	25.00	26.00	28.00
5/4 and 6/4 x 4"	21.00	24.00	24.50	26.00
5/4 and 6/4 x 6 and 7"	22.00	25.00	26.00	28.00
5/4 and 6/4 x 8 and 9"	22.00	25.00	26.00	28.00
5/4 and 6/4 x 5 and 10"	22.50	26.50	27.50	29.50
5/4 and 6/4 x 11"	22.50	26.50	27.50	29.50
5/4 and 6/4 x 12"	23.00	27.50	28.50	31.50

Additions and deductions per M'B.M. [See section 14 (b) (10).]

For working:

1. Rough, deduct \$4.50.
2. End-matched, add \$2.
3. For any other matcher dressing not otherwise provided for (except V-Joint, ECB18 or ECB28), add \$2. Patterns requiring moulder work, add \$6.50.

4. Ripping, add \$1 for each cut; resawing, add \$2 for each cut, both applicable only where machine run product is shipped.

For grade:

5. No. 1 common 85 or 90% Heart Facial Area, add \$8; 85% Heart Cubical Content, add \$6.
6. For grade marking in accordance with the provisions of Section 9 (a), add \$1 per M'B.M.
7. For combination grade No. 2 common and better as defined in section 5 (d), use No. 2 common prices.

For condition:

8. Kiln dried, add \$1.
9. Green, deduct \$3.50.

For lengths:

10. Random lengths must average at least 12' (with a tolerance of 3') and must take the 12' price.
11. For precision cutting to a specified exact length, with tolerance of not more than 1/4" allowed, add \$1.50. No addition is permitted for customary double end trimming.
12. Odd or fractional lengths over 4', not listed, shall be counted and priced as next longer even length.
13. For any length shorter than 4', cut to a specified exact length, charge the price of the nearest multiple length up to 12'. If there is no even multiple length 12' or shorter, charge the 12' price. In either case, add \$1.50 per M'B.M. for each necessary cross cut, but the addition permitted in footnote 11 may not also be charged, and no total charge for such service may be greater than \$6 per M'B.M. If length breaks on even one-half foot compute footage on actual length, otherwise compute on six inch breaks on the next break above.

For size:

14. Stock thinner than 3/4", deduct \$1" from the 3/4" price for each 1/2" thinner than 3/4", except when dressed both sides use 3/4" price. However, sizes that can be resawn from boards of strips 1" in nominal thickness shall take the 1" price, plus the resawing addition permitted.
15. 13" and wider, add \$2.50 per inch or fraction thereof to 12' price and compute footage on nominal size.
16. Extra standard thickness, thicker than American Lumber Standards (for yard stock), add \$1 where stock is dressed clean, or will permit slight skips as defined in paragraph 48, 1939 Standard Specifications for Southern Pine Lumber.

Sub-footnote:

1. Edge widths are random widths including odd, even or fractional widths. Measurement shall be according to Paragraph 136, S. P. I. B. Rules.

[Table 1 and footnotes amended by Am. 2, 9 F.R. 2915, effective 3-16-44; and Am. 4, effective 9-19-44]

TABLE 2—DIMENSION  
S1S, S2S, or S4S; Air Dried

Grade	4' lengths	6' lengths	8' lengths	9' lengths	10' lengths	12' lengths	14' lengths	16' lengths	18' lengths	20' lengths	22' and 24' lengths	Grade	4' lengths	6' lengths	8' lengths	9' lengths	10' lengths	12' lengths	14' lengths	16' lengths	18' lengths	20' lengths	22' and 24' lengths	
No. 1—												No. 2—Con.												
2 x 2"	\$31.00	\$31.00	\$38.00	\$39.00	\$38.00	\$38.00	\$39.00	\$40.00	\$41.50	\$42.50	\$48.00	2 x 6"	\$29.00	\$29.00	\$35.00	\$36.00	\$35.00	\$35.00	\$36.00	\$36.50	\$38.50	\$39.50	\$45.00	
2 x 3"	30.00	30.00	37.00	38.00	37.00	37.00	38.00	39.00	40.50	41.50	47.00	2 x 8"	28.00	28.00	34.00	35.00	34.00	35.00	35.50	37.50	38.50	44.00		
2 x 4"	32.00	32.00	39.00	40.00	39.00	39.00	40.00	41.00	42.50	43.50	49.00	2 x 10"	28.00	28.00	34.00	35.00	36.00	36.00	36.00	39.50	41.50	47.00		
2 x 5"	32.50	32.50	39.50	42.50	41.00	41.00	41.00	42.00	45.50	47.50	52.00	2 x 12"	31.00	31.00	37.00	39.00	38.00	38.00	38.00	39.00	42.50	43.50	49.00	
2 x 6"	30.00	30.00	37.00	38.00	37.00	37.00	38.00	38.00	40.50	41.50	47.00	No. 3—												
2 x 8"	30.00	30.00	37.00	38.00	37.00	37.00	38.00	38.00	40.50	41.50	47.00	2 x 2"	22.00	25.00	27.00	28.00	27.00	27.00	28.00	29.00	30.50	31.50	33.50	
2 x 10"	32.50	32.50	39.50	42.00	41.00	41.00	41.00	41.00	45.50	47.50	52.00	2 x 3"	21.00	24.00	26.00	27.00	26.00	26.00	27.00	28.00	29.50	30.50	32.50	
2 x 12"	34.50	34.50	41.50	44.00	43.00	43.00	43.00	43.00	47.50	49.50	54.00	2 x 4"	24.00	27.00	29.00	30.00	29.00	29.00	30.00	31.00	32.50	33.50	35.50	
No. 2—												2 x 5"	20.50	23.50	25.50	26.50	25.50	25.50	27.50	27.50	27.50	31.00	33.00	35.00
2 x 2"	29.00	29.00	35.00	36.00	35.00	35.00	36.00	37.00	38.50	39.50	45.00	2 x 6"	22.00	25.00	27.00	28.00	27.00	27.00	28.00	28.50	30.50	31.50	33.50	
2 x 3"	28.00	28.00	34.00	35.00	34.00	34.00	35.00	36.00	37.50	38.50	44.00	2 x 8"	21.00	24.00	26.00	27.00	26.00	26.00	27.00	27.50	29.50	30.50	32.50	
2 x 4"	31.00	31.00	37.00	38.00	37.00	37.00	37.00	38.00	39.00	40.50	41.50	2 x 10"	21.00	24.00	26.00	30.00	29.00	28.00	28.00	28.00	31.50	33.50	36.50	
2 x 5"	27.50	27.50	33.50	37.50	36.50	35.50	35.50	35.50	39.00	41.00	46.50	2 x 12"	24.00	27.00	29.00	31.00	30.00	30.00	30.00	31.00	34.50	35.50	38.50	

Additions and deductions per 1,000 feet board measure [See section 14 (b) (10)]:

For working:

1. Rough, deduct \$4.50.
2. Shiplap, Center Matched, Dressed and Matched, Grooved, or any other matched dressing, not otherwise provided for, add \$1.00. Patterns requiring Moulder work, add \$6.50.
3. Ripping or resawing, add \$1.00 for each cut, both applicable only when machine run product is shipped.
4. End-matched and center-matched, add \$4.00.

For grade:

5. For grade marking in accordance with the provisions of section 9 (a), add \$1.00 per M'B.M.
6. For Combination Grade No. 2 Common and better as defined in section 5 (d), use No. 2 Common prices.
7. No. 1 Common 85% Heart Facial Area, Add \$12.00; No. 1 Common 85% Heart Cubical Content, add \$8.00.

For condition:

8. Kiln dried, add \$1.00.
9. Green, deduct \$3.50.

For size:

10. Extra Standard thickness, thicker than American Lumber Standards (for yard stock), add \$1.00 where stock is dressed clean or will permit slight skips as defined in paragraph 48 of 1939 Standard Specifications for Southern Pine Lumber.
11. Odd or fractional widths not listed, add \$3.00 to nearest greater listed width and compute footage on nominal size.

For length:

12. Random lengths must average at least 14' (with tolerance of 3') and must take the 14' price.
13. For any average length, except 9', charge the price for the specified length corresponding to the average length required and shipped. When a 9' average is required charge the 8' price.

14. For precision cutting to a specified exact length, with tolerance of not more than 1/4" allowed, add \$1.50. No addition is permitted for customary double end trimming.

15. Odd or fractional lengths over 4', not listed, shall be counted and priced as the next longer even length.

16. For any length shorter than 4', cut to a specified exact length, charge the price for the nearest even multiple length up to 12'. If there is no even multiple length 12' or shorter, charge the 12' price. In either case, add \$1.50 per M'B.M. for each necessary cross cut, but the addition permitted in footnote 14 for precision cutting may not also be charged, and no total charge for such service may be greater than \$6.00 per M'B.M. If length breaks on even one-half foot compute footage on actual length, otherwise compute on six inch breaks on the next break above.



17. Lengths longer than 24', add to 24' price as follows (for all grades):

	2 x 10 and smaller	2 x 11 and larger
Length:		
26'	\$1	\$1
28'	2	2
30'	3	5
32'	6	7
34'	7	9
36'	9	12
38'	12	15
40'	15	20

[Table 2 amended by Am. 2, 9 F.R. 2915, effective 3-16-44]

TABLE 3—TIMBERS, ROUGH, GREEN  
8 TO 16 FOOT LENGTHS

Size	No. 2 com.	No. 2 M. G.	No. 2 dense	No. 1 com.	SE and S	No. 1 M. G.	No. 1 dense	Dense SE and S	Dense No. 1 struc.	Dense SE and S	Dense struc.	Dense select struc.
3 x 3" to 4 x 4"	\$29	\$32	\$34	\$32	\$33	\$35	\$37	\$38	\$39	\$41	\$43	\$45
3 x 5" to 5 x 5"	29	32	34	32	33	35	37	38	39	41	43	45
3 x 7" to 5 x 8"	29	32	34	32	33	35	37	38	39	41	43	45
3 x 6" to 6 x 6"	27	30	32	30	31	33	35	36	37	39	41	43
6 x 7" to 8 x 8"	30	33	35	34	35	37	39	40	41	43	45	47

8 TO 20 FOOT LENGTHS

3 x 9" to 5 x 10"	\$35	\$38	\$41	\$39	\$40	\$42	\$45	\$46	\$47	\$49	\$51	\$53
6 x 9" to 10 x 10"	34	37	40	38	39	41	44	45	46	48	50	52
3 x 11" to 5 x 12"	42	45	49	46	48	49	53	55	56	58	60	62
6 x 11" to 12 x 12"	40	43	47	44	46	47	51	53	54	56	58	60
3 x 13" to 7 x 14"	50	53	57	54	56	57	61	63	64	66	68	70
6 x 13" to 14 x 14"	48	51	55	52	54	55	59	61	62	64	66	68
3 x 15" to 7 x 16"	60	63	67	64	66	67	71	73	74	76	78	80
6 x 15" to 16 x 16"	58	61	65	62	64	65	69	71	72	74	76	78
3 x 17" to 7 x 18"				74	76	77	81	83	84	86	88	90
6 x 17" to 18 x 18"				72	74	75	79	81	82	84	86	88
3 x 19" to 7 x 20"				86	88	89	93	95	96	98	100	102
6 x 19" to 20 x 20"				84	86	87	91	93	94	96	98	100

Additions and deductions per M'B.M. [See section 14 (b) (10).]

For working:

1. S1S, S2S, S3S, S4S, Shiplap or T and G, add \$3.00.
2. Grooved 2 edges, add \$3 (to dressed prices).
3. Beveling and/or outgauging, for two edges on one face, add \$4; for four edges, or one face and one edge, add \$8 (to dressed prices in each case).

For grade:

	3 x 3 to 8 x 8	3 x 9 to 10 x 10	3 x 11 and larger
4. 85 percent Heart facial area (add to grade specified).....	\$10	\$12	\$15
5. 90 percent Heart facial area (add to grade specified).....	13	15	18
6. 85 percent Heart cubical content (add to grade specified)....	8	10	12

7. For grade marking in accordance with section 9 (a), add \$1 per M'B.M.

For lengths:

	3 x 3 to 8 x 8	3 x 9 to 10 x 10	3 x 11 and larger
8. For longer lengths add to above prices, all grades:			
18' and 20'.....	\$4		\$5
22' and 24'.....	9	\$5	6
26'.....	10	6	7
28'.....	11	7	8
30'.....	12	8	10
32'.....	14	10	12
34'.....	16	12	14
36'.....	18	14	17
38'.....	21	17	20
40'.....	24	20	25

9. For lengths over 40', add \$5 per lineal foot to 40' price.
  10. Odd or fractional lengths over 8' shall be counted and priced as next longer even length.
  11. For lengths shorter than 8' use nearest multiple length price plus a total of \$2 per M'B.M. for crosscutting.
  12. For any average length, charge the price for the specified length corresponding to the average length required and shipped.
  13. For precision cutting to a specified exact length, with tolerance of not more than  $\frac{1}{4}$ " allowed, add \$2. No addition is permitted for customary double end trimming.
- For condition:
14. Air dried, 28% moisture content, 3 x 3 and larger, and 2 x 14 and 2 x 16, add \$4.
  15. Kiln dried, 20% moisture content, 40 square inches of end area and less, add \$5; end area greater than 40 square inches, add \$8.
  16. Kiln dried, 20% moisture content, 2 x 14 and 2 x 16, add \$6.
- For size:
17. In No. 1 common and grades above, for each 1" in width above 20 x 20, add \$6 to the 20 x 20 price.
  18. Fractional thickness, add \$3 to nearest listed greater thickness, and compute footage on nominal size.
  19. Fractional width, add \$3 to nearest listed wider width, and compute footage on nominal size.
  20. 2 x 14 and 2 x 16, add \$3 to comparable 3" price.
  21. For any average size, charge the price for the average size required and shipped.
  22. For a specified cubic average, the price shall be that of the length in 12 x 12 required to equal the specified cubic average.

Table 3 amended by Am. 2, 9 F.R. 2915, effective 3-16-44; and Am. 4, effective 9-19-44.]

TABLE 3A—2" STRUCTURAL PLANKS AND JOISTS  
ROUGH GREEN

8 TO 16 FOOT LENGTHS

Size	(1,400 F.) Dense No. 1 Struc.	(1,600 F.) Dense Struc. SE&S	(1,800 F.) Dense Struc.	(2,000 F.) Dense Select Struc.
2 x 4".....	\$41	\$43	\$45	\$47
2 x 5".....	41	43	45	47
2 x 6".....	39	41	43	45
2 x 8".....	41	43	45	47

8 TO 20 FOOT LENGTHS

2 x 10".....	\$46	\$48	\$50	\$52
2 x 12".....	51	53	55	57

Additions and deductions per 1,000 feet board measure:  
[See section 14 (b) (10).]

For working:

1. S1S, S2S, S3S, S4S, shiplap, T and G, or grooved two edges, add \$4.50.
2. Ripping or resawing, add \$1 for each cut.
3. Beveling and/or outgauging, add \$4.

For grade:

	2 x 4 to 2 x 8	2 x 10	2 x 12
4. 85% heart facial area, add to grade specified.....	\$10	\$12	\$15
5. 90% heart facial area, add to grade specified.....	18	15	18

6. For grade marking in accordance with the provision of Section 9 (a), add \$1.00 per M'B.M.

For length:

	2 x 4 to 2 x 8	2 x 10	2 x 12
7. For longer lengths add to above prices, all grades:			
18' and 20'.....	\$4		\$5
22' and 24'.....	9	\$5	6
26'.....	10	6	7
28'.....	11	7	8
30'.....	12	8	10
32'.....	14	10	12
34'.....	16	12	14
36'.....	18	14	17
38'.....	21	17	20
40'.....	24	20	25

8. Odd or fractional lengths, over 8', shall be counted and priced as next longer even length.

9. For precision cutting to a specified exact length, with tolerance of not more than  $\frac{1}{4}$ " allowed, add \$1.50. No addition is permitted for customary double end trimming.

For condition:

10. Kiln dried, add \$4.50.
11. Air dried, add \$3.50.

For size:

12. Odd or fractional widths, not listed, add \$3 to nearest greater listed width and compute footage on actual size.
13. Extra standard thickness, thicker than American Lumber Standards (for yard stock), add \$1 where stock is dressed clean or will permit slight skips as defined in paragraph 48 of 1939 Standard Specifications for Southern Pine Lumber.

[Table 3A added by Am. 2, 9 F.R. 2915, effective 3-16-44; amended by Am. 4, effective 9-19-44]

TABLE 4—FLOORING, PLAIN END—SIDING, CEILING—PARTITION—O. G. BATTS KILN DRIED STANDARD LENGTHS

FLOORING—HEART FACE—EDGE GRAIN

Grade	4, 5, and 6'	7, 8, 9, and 10'	12 and 14'	16, 18, and 20'
1 x 3"—B and Better.....	\$70.00	\$80.00	\$81.00	\$83.00
1 x 3"—C.....	56.00	66.00	67.00	69.00
1 x 3"—D.....	51.00	56.00	57.00	59.00
1 x 3"—No. 2.....	47.00	52.00	53.00	55.00
1 x 4"—B and Better.....	68.00	78.00	79.00	81.00
1 x 4"—C.....	54.00	64.00	65.00	67.00
1 x 4"—D.....	49.00	54.00	55.00	57.00
1 x 4"—No. 2.....	45.00	50.00	51.00	53.00
5/4 x 3"—B and Better.....	85.00	95.00	96.00	98.00
5/4 x 3"—C.....	70.00	80.00	81.00	83.00
5/4 x 3"—D.....	62.00	67.00	68.00	70.00
5/4 x 3"—No. 2.....	59.00	64.00	65.00	67.00



TABLE 4—FLOORING, PLAIN END—SIDING, CEILING—PARTITION—O. G. BATTS KILN DRIED STANDARD LENGTHS—Continued

Grade	4, 5, and 6'	7, 8, and 10'	12 and 14'	16, 18, and 20'
5/4 x 4"—B and Better...	\$83.00	\$93.00	\$94.00	\$96.00
5/4 x 4"—C.....	68.00	78.00	79.00	81.00
5/4 x 4"—D.....	60.00	65.00	66.00	68.00
5/4 x 4"—No. 2.....	57.00	62.00	63.00	65.00

## FLOORING—HEARTFACE—NEAR EDGE GRAIN

1 x 3"—B and Better.....	\$63.00	\$73.00	\$74.00	\$76.00
1 x 3"—C.....	49.00	59.00	60.00	62.00
1 x 3"—D.....	46.00	51.00	52.00	54.00
1 x 3"—No. 2.....	43.00	48.00	49.00	51.00
1 x 4"—B and Better.....	61.00	71.00	72.00	74.00
1 x 4"—C.....	47.00	57.00	58.00	60.00
1 x 4"—D.....	44.00	49.00	50.00	52.00
1 x 4"—No. 2.....	41.00	46.00	47.00	49.00
5/4 x 3"—B and Better.....	78.00	88.00	89.00	91.00
5/4 x 3"—C.....	63.00	73.00	74.00	76.00
5/4 x 3"—D.....	57.00	62.00	63.00	65.00
5/4 x 3"—No. 2.....	54.00	59.00	60.00	62.00
5/4 x 4"—B and Better.....	76.00	86.00	87.00	89.00
5/4 x 4"—C.....	61.00	71.00	72.00	74.00
5/4 x 4"—D.....	55.00	60.00	61.00	63.00
5/4 x 4"—No. 2.....	52.00	57.00	58.00	60.00

## FLOORING—HEART FACE—FLAT GRAIN

1 x 3"—B and Better.....	\$55.50	\$65.50	\$66.50	\$68.50
1 x 3"—C.....	46.50	56.50	57.50	59.50
1 x 3"—D.....	44.50	49.50	50.50	52.50
1 x 3"—No. 2.....	35.50	40.50	41.50	43.50
1 x 4"—B and Better.....	53.50	63.50	64.50	66.50
1 x 4"—C.....	44.50	54.50	55.50	57.50
1 x 4"—D.....	42.50	47.50	48.50	50.50
1 x 4"—No. 2.....	34.50	39.50	40.50	42.50
5/4 x 3"—B and Better.....	70.00	80.00	81.00	83.00
5/4 x 3"—C.....	61.00	71.00	72.00	74.00
5/4 x 3"—D.....	59.00	64.00	65.00	67.00
5/4 x 3"—No. 2.....	51.00	56.00	57.00	59.00
5/4 x 4"—B and Better.....	68.00	78.00	79.00	81.00
5/4 x 4"—C.....	59.00	69.00	70.00	72.00
5/4 x 4"—D.....	57.00	62.00	63.00	65.00
5/4 x 4"—No. 2.....	49.00	54.00	55.00	57.00

## FLOORING—NO HEART SPECIFICATION—EDGE GRAIN

1 x 3"—B and Better.....	\$58.00	\$68.00	\$69.00	\$71.00
1 x 3"—C.....	50.00	60.00	61.00	63.00
1 x 3"—D.....	42.00	47.00	48.00	50.00
1 x 3"—No. 2.....	41.00	46.00	47.00	49.00
1 x 4"—B and Better.....	56.00	66.00	67.00	69.00
1 x 4"—C.....	48.00	58.00	59.00	61.00
1 x 4"—D.....	42.00	47.00	48.00	50.00
1 x 4"—No. 2.....	37.00	42.00	43.00	45.00
5/4 x 3"—B and Better.....	70.00	80.00	81.00	83.00
5/4 x 3"—C.....	61.00	71.00	72.00	74.00
5/4 x 3"—D.....	50.00	55.00	56.00	58.00
5/4 x 3"—No. 2.....	47.00	52.00	53.00	55.00
5/4 x 4"—B and Better.....	68.00	78.00	79.00	81.00
5/4 x 4"—C.....	59.00	69.00	70.00	72.00
5/4 x 4"—D.....	48.00	53.00	54.00	56.00
5/4 x 4"—No. 2.....	46.00	50.00	51.00	53.00

## FLOORING—NO HEART SPECIFICATION—NEAR EDGE GRAIN

1 x 3"—B and Better.....	\$51.00	\$61.00	\$62.00	\$64.00
1 x 3"—C.....	43.00	53.00	54.00	56.00
1 x 3"—D.....	37.00	42.00	43.00	45.00
1 x 3"—No. 2.....	36.00	41.00	42.00	44.00
1 x 4"—B and Better.....	49.00	59.00	60.00	62.00
1 x 4"—C.....	41.00	51.00	52.00	54.00
1 x 4"—D.....	37.00	42.00	43.00	45.00
1 x 4"—No. 2.....	35.00	40.00	41.00	43.00
5/4 x 3"—B and Better.....	63.00	73.00	74.00	76.00
5/4 x 3"—C.....	54.00	64.00	65.00	67.00
5/4 x 3"—D.....	45.00	50.00	51.00	53.00
5/4 x 3"—No. 2.....	42.00	47.00	48.00	50.00
5/4 x 4"—B and Better.....	61.00	71.00	72.00	74.00
5/4 x 4"—C.....	52.00	62.00	63.00	65.00
5/4 x 4"—D.....	43.00	48.00	49.00	51.00
5/4 x 4"—No. 2.....	40.00	45.00	46.00	48.00

## FLOORING—NO HEART SPECIFICATION—FLAT GRAIN

1 x 3"—B and Better.....	\$47.00	\$57.00	\$58.00	\$60.00
1 x 3"—C.....	42.50	52.50	53.50	55.50
1 x 3"—D.....	35.00	40.00	41.00	43.00
1 x 3"—No. 2.....	34.00	39.00	40.00	42.00
1 x 4"—B and Better.....	31.00	33.00	34.00	36.00
1 x 4"—C.....	45.50	55.50	56.50	58.50
1 x 4"—D.....	41.00	51.00	52.00	54.00
1 x 4"—No. 2.....	35.00	40.00	41.00	43.00
5/4 x 3"—B and Better.....	34.00	39.00	40.00	42.00
5/4 x 3"—C.....	30.00	32.00	33.00	35.00

TABLE 4—FLOORING, PLAIN END—SIDING, CEILING—PARTITION—O. G. BATTS KILN DRIED STANDARD LENGTHS—Continued

Grade	4, 5, and 6'	7, 8, and 10'	12 and 14'	16, 18, and 20'
5/4 x 3"—B and Better.....	\$56.00	\$66.00	\$67.00	\$69.00
5/4 x 3"—C.....	52.00	62.00	63.00	65.00
5/4 x 3"—D.....	44.00	49.00	50.00	52.00
5/4 x 3"—No. 2.....	38.00	43.00	44.00	46.00
5/4 x 3"—No. 3.....	34.00	36.00	37.00	39.00
5/4 x 4"—B and Better.....	54.00	64.00	65.00	67.00
5/4 x 4"—C.....	50.00	60.00	61.00	63.00
5/4 x 4"—D.....	42.00	47.00	48.00	50.00
5/4 x 4"—No. 2.....	37.00	42.00	43.00	45.00
5/4 x 4"—No. 3.....	32.00	34.00	35.00	37.00

## DROP SIDING

1 x 6"—Patterns 115, 117, 118, 119—B and Better.....	\$41.00	\$46.00	\$47.00	\$49.00
1 x 6"—Patterns 115, 117, 118, 119—C.....	40.00	45.00	46.00	48.00
1 x 6"—Patterns 115, 117, 118, 119—D.....	41.00	44.00	45.00	47.00
1 x 6"—Patterns 115, 117, 118, 119—No. 2.....	40.00	42.00	43.00	45.00
1 x 6"—Patterns 115, 117, 118, 119—No. 3.....	33.00	35.00	36.00	38.00
1 x 6"—All other Patterns—B and Better.....	52.00	57.00	58.00	60.00
1 x 6"—All other Patterns—C.....	49.00	54.00	55.00	57.00
1 x 6"—All other Patterns—D.....	42.00	45.00	46.00	48.00
1 x 6"—All other Patterns—No. 2.....	40.00	42.00	43.00	45.00
1 x 6"—All other Patterns—No. 3.....	33.00	35.00	36.00	38.00
1 x 8"—All Patterns—B and Better.....	52.00	57.00	58.00	60.00
1 x 8"—All Patterns—C.....	49.00	54.00	55.00	57.00
1 x 8"—All Patterns—D.....	42.00	45.00	46.00	48.00
1 x 8"—All Patterns—No. 2.....	40.00	42.00	43.00	45.00
1 x 8"—All Patterns—No. 3.....	33.00	35.00	36.00	38.00
1 x 10"—All Patterns—B and Better.....	60.00	65.00	66.00	68.00
1 x 10"—All Patterns—C.....	53.00	58.00	59.00	61.00
1 x 10"—All Patterns—D.....	45.00	48.00	49.00	51.00
1 x 10"—All Patterns—No. 2.....	41.50	43.50	44.50	46.50
1 x 10"—All Patterns—No. 3.....	34.50	36.50	37.50	39.50

## BEVEL SIDING

5/4 x 4, 5, 6 and 8"—B and Better.....	\$40.00	\$45.00	\$46.00	\$48.00
5/4 x 4, 5, 6 and 8"—C.....	37.00	42.00	43.00	45.00
5/4 x 4, 5, 6 and 8"—D.....	34.00	37.00	38.00	40.00
5/4 x 4, 5, 6 and 8"—No. 2.....	31.50	33.50	34.50	36.50
5/4 x 4, 5, 6 and 8"—No. 3.....	23.50	25.50	26.50	28.50
5/4 x 4, 5, 6 and 8"—B and Better.....	34.00	39.00	40.00	42.00
5/4 x 4, 5, 6 and 8"—C.....	31.00	36.00	37.00	39.00
5/4 x 4, 5, 6 and 8"—D.....	29.00	32.00	33.00	35.00
5/4 x 4, 5, 6 and 8"—No. 2.....	27.50	29.50	30.50	32.50
5/4 x 4, 5, 6 and 8"—No. 3.....	20.50	22.50	23.50	25.50

## SQUARE EDGE SIDING

5/4 x 4, 6, and 8"—S3S or S4S finished to 1/2" x 1/2" scant in width:				
B and Better.....	\$39.00	\$44.00	\$45.00	\$47.00
C.....	36.00	41.00	42.00	44.00
D.....	35.00	38.00	39.00	41.00
No. 2.....	31.50	33.50	34.50	36.50
No. 3.....	19.50	21.50	22.50	24.50

## CEILING—STANDARD BEAD OR V, SIS OR S2S

5/4 x 3/4 x 3" and 4":				
B and Better.....	\$34.00	\$39.00	\$40.00	\$42.00
C.....	31.00	36.00	37.00	39.00
D.....	29.00	32.00	33.00	35.00
No. 2.....	27.50	29.50	30.50	32.50
No. 3.....	20.50	22.50	23.50	25.50
5/4 x 3/4 x 6":				
B and Better.....	36.00	41.00	42.00	44.00
C.....	33.00	38.00	39.00	41.00
D.....	31.00	34.00	35.00	37.00
No. 2.....	29.50	31.50	32.50	34.50
No. 3.....	22.50	24.50	25.50	27.50
9/16 x 3" and 4":				
B and Better.....	\$35.00	\$40.00	\$41.00	\$43.00
C.....	33.00	38.00	39.00	41.00
D.....	31.00	34.00	35.00	37.00
No. 2.....	29.50	31.50	32.50	34.50
No. 3.....	20.50	22.50	23.50	25.50

TABLE 4—FLOORING, PLAIN END—SIDING, CEILING—PARTITION—O. G. BATTS KILN DRIED STANDARD LENGTHS—Continued

Grade	4, 5, and 6'	7, 8, and 10'	12 and 14'	16, 18, and 20'
9/16 x 5" and 6":				
B and Better.....	\$37.00	\$42.00	\$43.00	\$45.00
C.....	35.00	40.00	41.00	43.00
D.....	33.00	36.00	37.00	39.00
No. 2.....	31.50	33.50	34.50	36.50
No. 3.....	22.50	24.50	25.50	27.50
11/16 to 25/32 x 3 and 4":				
B and Better.....	44.00	49.00	50.00	52.00
C.....	41.00	46.00	47.00	49.00
D.....	36.00	39.00	40.00	42.00
No. 2.....	34.00	36.00	37.00	39.00
No. 3.....	27.00	29.00	30.00	32.00
11/16 to 25/32 x 5 and 6":				
B and Better.....	45.00	50.00	51.00	53.00
C.....	42.00	47.00	48.00	50.00
D.....	37.00	40.00	41.00	43.00
No. 2.....	35.00	37.00	38.00	40.00
No. 3.....	28.00	30.00	31.00	33.00

## PARTITION—STANDARD BEAD OR V

1 1/2 x 4":				
B and Better.....	\$44.00	\$49.00	\$50.00	\$52.00
C.....	41.00	46.00	47.00	49.00
D.....	36.00	39.00	40.00	42.00
No. 2.....	34.00	36.00	37.00	39.00
No. 3.....	21.00	23.00	24.00	26.00
3/4 x 4":				
B and Better.....	49.00	54.00	55.00	57.00
C.....	46.00	51.00	52.00	54.00
D.....	38.00	41.00	42.00	44.00
No. 2.....	35.00	37.00	38.00	40.00
No. 3.....	23.00	25.00	26.00	28.00
1 1/2 x 6":				
B and Better.....	46.00	51.00	52.00	54.00
C.....	43.00	48.00	49.00	51.00
D.....	38.00	41.00	42.00	44.00
No. 2.....	36.00	38.00	39.00	41.00
No. 3.....	23.00	25.00	26.00	28.00
3/4 x 6":				
B and Better.....	51.00	56.00	57.00	59.00
C.....	48.00	53.00	54.00	56.00
D.....	40.00	43.00	44.00	46.00
No. 2.....	37.00	39.00	40.00	42.00
No. 3.....	25.00	27.00	28.00	30.00

## O. G. BATTS

1/2 or 3/4 x 3":				
B and Better.....	\$37.00	\$42.00	\$43.00	\$45.00
C.....	35.00	40.00	41.00	43.00
D.....	32.00	35.00	36.00	38.00
No 2.....	30.00	32.00	33.00	35.00
1/2 or 3/4 x 4":				
B and Better.....	35.00	40.00	41.00	43.00
C.....	33.00	38.00	39.00	41.00
D.....	31.00	33.00	34.00	36.00
No 2.....	28.00	30.00	31.00	33.00







TABLE 9—CAR MATERIAL, OTHER THAN DECKING AND FRAMING DRESSED TO PATTERN—KILN DRIED—1—Con.

Size and grade	8' lengths	9' lengths	10' lengths	12' lengths	14' lengths	16' lengths	18' and 20' lengths	22' and 24' lengths
Common (Par. 54-56-60 A. A. R. Rules): <sup>1</sup>								
1 x 4" and 1 x 6"	47.00	49.00	47.00	47.00	47.00	50.00	52.00	62.00
2 x 6"	52.00	54.00	52.00	52.00	52.00	55.00	57.00	67.00
2 x 8"	56.00	58.00	56.00	56.00	56.00	59.00	61.00	71.00
2 x 10"	64.00	66.00	64.00	64.00	64.00	67.00	69.00	79.00
2 x 12"	80.00	82.00	80.00	80.00	80.00	83.00	85.00	95.00

Additions and deductions per 1,000 feet board measure: [See section 14 (b) (10)]

For working:

1. Rough, deduct \$2.00.

2. Where material is required S2S only, add \$1.00.

For grade:

3. Edge grain, add \$15.00 to select price only.

4. Dense, running boards only, add \$5.00.

5. Dense, 2" stock and thicker, add \$4.00.

6. Grades and specifications other than those contained in A. A. R. Rules, the maximum price shall be the price for the A. A. R. grades and specifications which most closely correspond to the grades and specifications for the car material item involved in the sale governed by the schedule.

7a. For grade marking in accordance with section 9 (a) add \$1.00 per M'BM.

For condition:

7. Air dried, stain no defect, deduct \$6.00.

8. Air dried, deduct \$4.00.

9. Green, deduct \$8.00.

For size:

10. 5/4 and 6/4, add \$10.00 to 4/4 prices.

11. 2 1/4" and 2 1/2" par. 53, 55, 59 and 62, add \$15.00 to 8/4 prices; 2 3/4" and 2 1/2" par. 54, 56 and 60, add \$3.00 to 8/4 prices.

12. Extra standard thickness, other than those covered by A. A. R., add \$1.00 where stock is dressed clean.

13. Odd or fractional widths, add \$3.00 to nearest greater listed width and compute footage on nominal rough size.

For length:

14. For precision cutting to a specified exact length, with tolerance of not more than 1/4" allowed, add \$1.50.

15. No addition is permitted for customary double end trimming.

16. Odd or fractional lengths, except 8' and 9', shall be counted and priced as next longer even length.

17. For any average length, charge the price for the specified length corresponding to the average length required and shipped.

For inspection:

17. Final inspection at destination in car repair or car building establishment rather than at shipping point.

18. Add \$3.00.

19. The prices in this table apply only to direct-mill sales for delivery to railroads, railroad car builders and repair shops. Maximum prices applicable to other purchasers may be established upon application to the lumber branch of the National Office pursuant to section 22 hereto. In addition to the information specified in section 22 sellers must show for what uses the purchaser has ordered the car material.

20. Specifications for car material designated above (A. A. R. Rules), correspond to the specifications issued by the Association of American Railroads as set forth in its pamphlet M-507-33, adopted 1936; revised 1939.

[Footnote 6a amended by Am. 2, 9 F. R. 2915, effective 3-16-44]

TABLE 9A—CAR MATERIAL, FLOORING (DECKING), FLOOR ROADS AND DOOR SILLS, DRESSED TO ALL PATTERNS, KILN DRIED OR AIR DRIED<sup>1</sup>

Size and grades	8' lengths	9' lengths	10' lengths	12' lengths	14' lengths	16' lengths
Select—(Par. 57 A. A. R. Rules): <sup>1</sup>						
2 x 6" and 2 x 8"	\$67.00	\$72.00	\$67.00	\$67.00	\$67.00	\$72.00
2 1/4" and 2 1/2" x 6" and 8"	72.00	77.00	72.00	72.00	72.00	77.00
2 3/4" and 3 x 6" and 8"	77.00	82.00	77.00	77.00	77.00	82.00
Common—(Par. 58 A. A. R. Rules): <sup>2</sup>						
2 x 6" and 2 x 8"	47.50	49.50	47.50	47.50	47.50	49.50
2 1/4", 2 1/2" and 3 x 6" and 8"	50.50	52.50	50.50	50.50	50.50	52.50

Additions and deductions per 1,000 feet board measure: [See section 14 (b) (10)]

For working:

1. Rough, deduct \$2.00.

2. Where material is required S2S only, add \$1.00.

3. Stock dressed 2 1/2" net thickness, count and price as 2 3/4".

For grade:

4. Edge grain, add \$15.00 to select price only.

5. Dense, add \$4.00.

6. Grades and specifications other than those contained in A. A. R. Rules, the maximum price shall be the price for the A. A. R. grades and specifications which most closely correspond to the grades and specifications for the car material item involved in the sale governed by the schedule.

7. Heat face, common (Par. 58), add \$10.00; for air heated, add \$15.00.

7a. For grade marking in accordance with section 9 (a) add \$1.00 per M'BM.

See footnotes at end of table.

For grade:

9. [Deleted by Am. 3, 9 F. R. 6222, effective 6-12-44.]

10. For grade marking in accordance with section 9 (a) and \$1.00 per M'BM.

For condition:

11. Air dried, stain no defect, deduct \$6.00.

12. Air dried, deduct \$4.00.

For size:

13. 18" and wider, add \$3.50 per inch or fraction thereof to 12" prices and compute footage on nominal size.

14. Extra standard thickness, thicker than American Lumber Standards (for 3" and 4" sizes), add \$1.00 where stock is dressed clean; will permit slight skips as defined in paragraph 48 of 1939 Standard Specifications for Southern Pine Lumber.

15. [Deleted by Am. 4, effective 9-19-44.]

For length:

16. For precision cutting to a specified exact length, with tolerance of not more than 1/4" allowed, add \$1.50.

17. No addition is permitted for customary double end trimming.

18. Odd or fractional lengths over 4', not listed, shall be counted and priced as next longer even length.

19. For any length shorter than 4', cut to a specified exact length, charge the price of the nearest even multiple length, up to 12'. If there is no even multiple length 12' or shorter, charge the 12' price. In either case, add \$1.50 per M'BM for each necessary cross cut, but the addition for precision cutting permitted in footnote 16 may not also be charged, and no total charge for such service may be greater than \$6.00 per M'BM. If length breaks on even one-half foot compute footage on actual length, otherwise compute on six inch breaks on the next break above.

20. Standard lengths are 8' to 20' inclusive, and in shipments of standard lengths, 5% of 3 foot in C and better grades shall be permitted.

21. Edge widths are random widths including odd, even or fractional widths. Measurement shall be according to paragraph 136, S. P. I. B. Rules.

22. [Deleted by Am. 4, effective 9-19-44.]

[Footnotes 10 and 14 amended by Am. 2, 9 F. R. 2915, effective 3-16-44; Restricted random widths deleted from Table 7 and footnote 3 amended by Am. 4, effective 9-19-44]

TABLE 8—END-MATCHED AND CENTER-MATCHED BOARDS AND STRIPS

Size	Grade B and better	Grade C	Grade No. 1	Grade No. 2	Grade No. 3	Grade No. 4
1 x 4"	\$37.50	\$34.50	\$29.50	\$22.50	\$27.50	\$24.50
1 x 6"	\$41.50	\$38.50	\$33.50	\$26.50	\$31.50	\$28.50
1 x 8"	\$45.50	\$42.50	\$37.50	\$30.50	\$35.50	\$32.50
1 x 10"	\$49.50	\$46.50	\$41.50	\$34.50	\$39.50	\$36.50
1 x 12"	\$53.50	\$50.50	\$45.50	\$38.50	\$43.50	\$40.50

Additions and deductions per 1,000 feet board measure: [See section 14 (b) (10)]

For condition:

1. Kiln dried, add \$1.00.

2. For grade marking in accordance with section 9 (a) add \$1.00 per M'BM.

[Table 8 amended by Am. 2, 9 F. R. 2915, effective 3-16-44]

TABLE 9—CAR MATERIAL, OTHER THAN DECKING AND FRAMING DRESSED TO PATTERN—KILN DRIED<sup>1</sup>

Size and grade	8' lengths	9' lengths	10' lengths	12' lengths	14' lengths	16' lengths	18' and 20' lengths	22' and 24' lengths
Select (Par. 51 A. A. R. Rules): <sup>1</sup>								
1 x 4" and 1 x 6"	\$65.00	\$65.00	\$60.00	\$62.00	\$65.00	\$67.00	\$73.00	\$85.00
Common (Par. 52 A. A. R. Rules): <sup>2</sup>								
1 x 4" and 1 x 6"	48.00	55.00	50.00	52.00	55.00	57.00	63.00	75.00
1 x 8"	58.00	65.00	60.00	62.00	65.00	67.00	73.00	85.00
1 x 10"	68.00	75.00	70.00	72.00	75.00	77.00	83.00	95.00
1 x 12"	84.00	91.00	86.00	88.00	91.00	93.00	99.00	109.00
Common (Par. 56 A. A. R. Rules): <sup>3</sup>								
1 x 4" and 1 x 6"	48.00	55.00	50.00	52.00	55.00	57.00	63.00	75.00
1 x 8"	58.00	65.00	60.00	62.00	65.00	67.00	73.00	85.00
1 x 10"	68.00	75.00	70.00	72.00	75.00	77.00	83.00	95.00
1 x 12"	84.00	91.00	86.00	88.00	91.00	93.00	99.00	109.00
Common (Par. 60 A. A. R. Rules): <sup>4</sup>								
1 x 4" and 1 x 6"	38.00	45.00	40.00	42.00	45.00	47.00	53.00	62.00
1 x 8"	48.00	55.00	50.00	52.00	55.00	57.00	63.00	75.00
1 x 10"	58.00	65.00	60.00	62.00	65.00	67.00	73.00	85.00
1 x 12"	74.00	81.00	76.00	78.00	81.00	83.00	89.00	98.00
Select (Par. 53-55-59-62 A. A. R. Rules): <sup>5</sup>								
2 x 4"	62.00	67.00	62.00	62.00	62.00	67.00	72.00	82.00
2 x 6"	67.00	72.00	67.00	67.00	67.00	72.00	77.00	87.00
2 x 8"	70.00	75.00	70.00	70.00	70.00	75.00	80.00	90.00
2 x 10"	75.00	80.00	75.00	75.00	75.00	80.00	85.00	95.00
2 x 12"	90.00	95.00	90.00	90.00	90.00	95.00	100.00	110.00



## For condition:

8. Drying to moisture content of less than 15% add \$5.00.  
9. Green, deduct \$5.00.

## For size:

10. Extra standard thickness other than those covered by A. A. R., add \$1.00 when dressed clean.  
11. Odd or fractional widths, add \$3.00 to nearest greater listed width and compute footage on nominal rough size.

## For length:

12. For precision cutting to a specified exact length, with tolerance of not more than 1/4" allowed, add \$1.50. No addition is permitted for customary double end trimming.  
13. Odd or fractional lengths, except 9', shall be counted and priced as next longer even length.

## For inspection:

14. Final inspection at destination in car repair or building establishment rather than at shipping point, add \$5.00.

<sup>1</sup> The prices in this table apply only to direct-mill sales for delivery to railroads, railroad car builders and repair shops. Maximum prices applicable to other purchasers may be established upon application to the lumber branch of the national office pursuant to section 22 hereof. In addition to the information specified in section 22, sellers must show for what uses the purchaser has ordered the car material.

<sup>2</sup> Specifications for car material designated above (A. A. R. Rules) correspond to the specifications issued by the association of American Railroads as set forth in its pamphlet M-907-33, adopted 1910, revised 1933.

[Footnote 7a added by Am. 2, 9 F.R. 1915, effective 3-16-44]

TABLE 9B—CAR MATERIAL, FRAMING, SPECIFIED OR RANDOM LENGTHS, 20' AND SHORTER ROUGH, GREEN <sup>1</sup>

Size	Group 7		Group 8		Group 9				Group 10			
	Par. 64		Par. 65		Par. 66		Par. 67		Par. 68		Par. 69	
	Dense common	Nondense common	Dense select structural	Close grain select structural	Dense select structural	Close grain select structural	Dense common structural	Nondense common structural	Dense select structural	Close grain select structural	Dense common structural	Nondense common structural
2" to 4" x 2" to 8"	\$45.00	\$40.00	\$53.00	\$51.00	\$53.00	\$51.00	\$47.00	\$42.00	\$53.00	\$51.00	\$46.00	\$41.00
2" to 4" x 8 1/4" to 10"	51.00	46.00	59.00	57.00	59.00	57.00	53.00	48.00	59.00	57.00	52.00	47.00
2" to 4" x 10 1/4" to 12"	58.00	53.00	66.00	64.00	66.00	64.00	60.00	55.00	66.00	64.00	59.00	54.00
2" to 4" x 12 1/4" to 14 1/4"	68.00	63.00	76.00	74.00	76.00	74.00	70.00	65.00	76.00	74.00	69.00	64.00

Additions and deductions per 1,000 feet board measure: [See section 14 (b) (10)]

## For working:

1. Dressing to standard patterns, add \$2.00.

## For grade:

2. 85% heart facial area, add \$12.00.  
3. 75% heart girth measurement, add \$8.00.  
4. 85% heart girth measurement, add \$15.00.  
5. All heart, add \$25.00.  
6. Grades and specifications other than those contained in A. A. R. rules, the maximum price shall be the price for the A. A. R. grades and specifications which most closely correspond to the grades and specifications for the car material item involved in the sale governed by the schedule.  
6a. For grade marking in accordance with section 9 (a) add \$1.00 per M' BM.

## For condition:

7. Dry, moisture content between 15 and 20%, add \$5.00.

## For size:

8. 4/4, 5/4, 6/4, 7/4, add \$4.00.  
9. Over 4" in thickness, deduct \$1.00.  
10. Measurement for rough sizes must allow not less than 1/4" for dressing on each dimension.

## For inspection:

11. Final inspection at destination in car repair or building establishment rather than at shipping point, add \$5.00.

## For length:

12. For precision cutting to a specified exact length, with tolerance of not more than 1/4" allowed, add \$1.50. No addition is permitted for customary double end trimming.  
13. Odd or fractional lengths, except 5', 7' and 9', shall be counted and priced as next longer even length.  
14. Lengths longer than 20', add to 20' prices as follows (for all grades):

	10' and under	Over 10'
22' and 24'	\$5.00	\$5.00
26'	6.00	6.00
28'	7.00	7.00
30'	8.00	10.00
32'	10.00	12.00
34'	12.00	14.00
36'	14.00	17.00
38'	17.00	20.00
40'	20.00	25.00

15. For lengths over 40', add \$5.00 per lineal foot.

<sup>1</sup> The prices in this table apply only to direct-mill sales for delivery to railroads, railroad car builders and repair shops. Maximum prices applicable to other purchasers may be established upon application to the Lumber Branch of the National Office pursuant to section 22 hereof. In addition to the information specified in section 22, sellers must show for what uses the purchaser has ordered the car material.

[Footnote 6a added by Am. 2, 9 F.R. 1915, effective 3-16-44]

TABLE 10—STANDARD PLASTERING LATH AND FENCE LATH: KILN DRIED

Size	Grade No. 1	Grade No. 2	Grade No. 3
3/4 x 1 1/2"—4' plastering lath.....	\$6.50	\$5.50	\$4.00
3/4 x 1 1/2"—32' plastering lath.....	4.00	2.50	-----
1/2 x 1 1/2"—32' fence lath.....	5.50	3.50	-----
1/2 x 1 1/2"—36' fence lath.....	6.25	4.25	-----
1/2 x 1 1/2"—42' fence lath.....	7.50	5.50	-----
1/2 x 1 1/2"—48' fence lath.....	9.00	7.00	-----
1/2 x 1 1/2"—60' fence lath.....	11.25	9.25	-----
1/2 x 1 1/2"—72' fence lath.....	13.50	11.50	-----

Additions and deductions per 1,000 pieces:

## For condition:

1. Air dried, deduct 25¢.  
2. Green, deduct 50¢.

TABLE 11—BYRKIT LATH, AIR DRIED OR KILN DRIED

Size	Standard lengths <sup>1</sup>	4', 6', and 8'
1 x 4.....	\$30.00	\$28.00
1 x 6.....	34.00	31.00

<sup>1</sup> Standard lengths are 4' and up.

TABLE 12—BED SLATS, S4S, AIR DRIED OR KILN DRIED (BUNDLED)

Grade and size	Per set (8 pieces) 36"	Per set (8 pieces) 39"	Per set (8 pieces) 42"	Per set (8 pieces) 54" to 56"
No. 1—1 x 3.....	\$0.35	\$0.37	\$0.38	\$0.48
No. 2—1 x 3.....	.28	.30	.31	.41

[Former Table 13 included in Table 4 as amended by Am. 4, effective 9-19-44]

## ARTICLE V—APPENDIX B: LONG LEAF YELLOW PINE LUMBER

The maximum prices for Long Leaf Yellow lumber, straight or mixed carlots, f. o. b. mill, per M' BM, shall be as follows:

TABLE 14—BOARDS AND STRIPS [S1S, S2S, S3S, S4S, S2S and matched, or shiplap, standard or 3/4 inch] AIR DRIED

Grade	4 and 6'	8, 10, 12, and 14'	16'	18 and 20'
No. 1 Common:				
1 x 2".....	\$40.00	\$46.00	\$47.50	\$48.00
1 x 3".....	41.00	47.00	48.50	49.00
1 x 4".....	37.00	43.00	44.50	45.00
1 x 5".....	42.00	48.00	49.50	50.00
1 x 6".....	40.00	46.00	47.50	48.00
1 x 7".....	41.00	47.00	48.50	49.00
1 x 8".....	41.00	47.00	48.50	49.00
1 x 9 and 10".....	42.00	48.00	49.50	50.00
1 x 11".....	49.00	55.00	56.50	57.00
1 x 12".....	53.00	59.00	60.50	61.00
5/4 and 6/4 x 2".....	43.00	49.00	50.50	51.00
5/4 and 6/4 x 3".....	44.00	50.00	51.50	52.00
5/4 and 6/4 x 4".....	40.00	46.00	47.50	48.00
5/4 and 6/4 x 5".....	45.00	51.00	52.50	53.00
5/4 and 6/4 x 6".....	43.00	49.00	50.50	51.00
5/4 and 6/4 x 7".....	44.00	50.00	51.50	52.00
5/4 and 6/4 x 8".....	44.00	50.00	51.50	52.00
5/4 and 6/4 x 9 and 10".....	45.00	51.00	52.50	53.00
5/4 and 6/4 x 11".....	52.00	58.00	59.50	60.00
5/4 and 6/4 x 12".....	56.00	62.00	63.50	64.00
No. 2 Common:				
1 x 2".....	37.00	40.00	40.50	42.00
1 x 3".....	38.00	41.00	41.50	43.00
1 x 4".....	36.00	39.00	39.50	41.00
1 x 5".....	39.00	42.00	43.00	45.00
1 x 6".....	39.00	42.00	43.00	45.00
1 x 7".....	37.00	40.00	41.00	43.00
1 x 8".....	39.00	42.00	43.00	45.00
1 x 9 and 10".....	39.00	43.50	44.50	46.50
1 x 11".....	42.00	46.50	47.50	50.50
1 x 12".....	46.00	50.50	51.50	54.50
5/4 and 6/4 x 2".....	40.00	43.00	43.50	45.00
5/4 and 6/4 x 3".....	41.00	44.00	44.50	46.00
5/4 and 6/4 x 4".....	39.00	42.00	42.50	44.00
5/4 and 6/4 x 5".....	42.00	45.00	46.00	48.00
5/4 and 6/4 x 6".....	42.00	45.00	46.00	48.00
5/4 and 6/4 x 7".....	40.00	43.00	44.00	46.00
5/4 and 6/4 x 8".....	42.00	45.00	46.00	48.00
5/4 and 6/4 x 9 and 10".....	42.00	46.50	47.50	49.50
5/4 and 6/4 x 11".....	45.00	49.50	50.50	53.50
5/4 and 6/4 x 12".....	49.00	53.50	54.50	57.50



TABLE 14—Continued

Grade	4 and 6'	8, 10, 12, and 14'	16'	18 and 20'
<b>No. 3 Common:</b>				
1 x 2'	29.00	32.00	32.00	34.00
1 x 3'	31.00	34.00	34.50	36.00
1 x 4'	31.00	34.00	34.50	36.00
1 x 5'	31.00	34.00	35.00	37.00
1 x 6'	32.00	35.00	36.00	38.00
1 x 7'	30.00	33.00	34.00	36.00
1 x 8'	32.00	35.00	36.00	38.00
1 x 9 and 10'	31.00	35.00	36.00	38.00
1 x 11'	31.50	36.00	37.00	40.00
1 x 12'	32.00	36.50	37.50	40.50
5/4 and 6/4 x 2'	31.00	34.00	34.00	36.00
5/4 and 6/4 x 3'	33.00	36.00	36.50	38.00
5/4 and 6/4 x 4'	33.00	36.00	36.50	38.00
5/4 and 6/4 x 5'	33.00	36.00	37.00	39.00
5/4 and 6/4 x 6'	34.00	37.00	38.00	40.00
5/4 and 6/4 x 7'	32.00	35.00	36.00	38.00
5/4 and 6/4 x 8'	34.00	37.00	38.00	40.00
5/4 and 6/4 x 9 and 10'	33.00	37.00	38.00	40.00
5/4 and 6/4 x 11'	33.50	38.00	39.00	42.00
5/4 and 6/4 x 12'	34.00	38.50	39.50	42.50
<b>No. 4 Common and dunnage:</b>				
1 x 3'	27.00	30.00	30.50	32.00
1 x 4'	28.00	31.00	31.50	33.00
1 x 5'	27.00	30.00	31.00	33.00
1 x 6'	26.00	29.00	30.00	32.00
1 x 7'	26.00	29.00	30.00	32.00
1 x 8'	26.00	29.00	30.00	32.00
1 x 9 and 10'	27.00	31.00	32.00	34.00
1 x 11'	27.50	32.00	33.00	36.00
1 x 12'	28.00	32.50	33.50	36.50
5/4 and 6/4 x 3'	28.00	31.00	31.50	33.00
5/4 and 6/4 x 4'	21.00	24.00	24.50	26.00
5/4 and 6/4 x 5'	28.00	31.00	32.00	34.00
5/4 and 6/4 x 6'	27.00	30.00	31.00	33.00
5/4 and 6/4 x 7'	27.00	30.00	31.00	33.00
5/4 and 6/4 x 8'	27.00	30.00	31.00	33.00
5/4 and 6/4 x 9 and 10'	28.00	32.00	33.00	35.00
5/4 and 6/4 x 11'	28.50	33.00	34.00	37.00
5/4 and 6/4 x 12'	29.00	33.50	34.50	37.50

Additions and deductions per M'B.M. [See section 14 (b) (10).]

## For working:

1. Rough, deduct \$4.50.
2. End-matching, add \$2.00.
3. For any other matcher dressing not otherwise provided for (except V-joint, ECBIS, ECB2S), add \$2.00. Patterns requiring moulder work, add \$6.50.
4. Ripping, add \$1.00 for each cut; resawing, add \$2.00 for each cut, both applicable only when machine run product is shipped.

## For grade:

5. For grade marking in accordance with provisions of section 9 (a), add \$1.00 per M'B.M.
6. No. 1 Common 85 or 90% Heart facial area, add \$20.00.
7. No. 2 Common 85 or 90% Heart facial area, add \$12.00.

## For condition:

8. Kiln dried, add \$1.00.
9. Green, deduct, \$3.50.

## For length:

10. For precision cutting to a specified exact length, with tolerance of not more than 1/4 inch allowed, add \$1.50. No addition is permitted for customary double end trimming.
11. Odd or fractional lengths over 4 feet, not listed, shall be counted and priced as next longer even length.
12. For any length shorter than 4 feet, cut to a specified exact length, charge the price of the nearest even multiple length up to 12 feet. If there is no even multiple length 12 feet or shorter, charge the 12-foot price. In either case, add \$1.50 per M'B.M. for each necessary cross cut, but the addition for precision cutting permitted in footnote 10 may not also be charged, and no total charge for such service may be greater than \$6.00 per M'B.M. If length breaks on even one-half foot compute footage on actual length, otherwise compute on 6-inch breaks on the next break above.
13. Random lengths must average at least 12 feet (with a tolerance of 3 inches), and must take the 12-foot price.

## For size:

14. Stock thinner than 3/4 inch, deduct \$1.00 from the 3/4 inch price for each 1/8 inch thinner than 3/4 inch, except when dressed both sides use 3/4-inch price. However, sizes that can be resawn from boards or strips 1 inch in nominal thickness shall take the 1-inch price, plus the resawing addition permitted.
15. 13-inch and wider, add \$2.50 per inch or fraction thereof to 12-inch price and compute footage on nominal size.
16. Extra standard thickness, thicker than American Lumber Standards (for yard stock), add \$1.00 where stock is dressed clean or will permit slight skips as defined in paragraph 48, of 1939 Standard Specifications for Southern Pine Lumber.

[Table 14 amended by Am. 2, 9 F. R. 2915, effective 8-16-44; and Am. 4, effective 9-19-44]

TABLE 15—DIMENSION

S1S, S2S, S3S, S4S, air dried

Grade	4' lengths	6' lengths	8' lengths	9' lengths	10' lengths	12' lengths	14' lengths	16' lengths	18' lengths	20' lengths	22' and 24' lengths
<b>No. 1—</b>											
2 x 2'	\$36	\$36	\$43	\$44	\$42	\$42	\$42	\$44	\$44	\$45	\$50
2 x 3'	34	34	41	44	41	41	41	42	44	44	49
2 x 4'	38	38	44	45	43	43	43	45	47	47	50
2 x 5'	41	41	48	54	50	51	52	54	56	56	60
2 x 6'	35	35	42	45	42	42	42	43	45	45	50
2 x 8'	35	35	42	45	43	43	43	44	46	46	51
2 x 10'	41	41	48	54	50	51	52	54	56	56	60
2 x 12'	47	47	54	61	57	57	58	61	63	63	67
<b>No. 2—</b>											
2 x 2'	33	33	39	40	38	38	38	40	42	42	45
2 x 3'	32	32	38	39	39	38	38	39	41	41	45
2 x 4'	37	37	43	44	42	42	42	44	46	46	49
2 x 5'	39	39	45	48	47	47	47	48	50	50	54
2 x 6'	34	34	40	41	41	40	40	41	43	43	47
2 x 8'	33	33	39	41	40	40	40	41	43	43	46
2 x 10'	39	39	45	48	47	47	47	48	50	50	54
2 x 12'	39	39	45	50	48	48	49	50	52	52	57
<b>No. 3—</b>											
2 x 2'	23	26	28	29	28	28	28	29	29	29	31
2 x 3'	23	26	28	29	28	28	28	29	29	29	31
2 x 4'	27	30	32	33	32	32	32	33	33	33	35
2 x 5'	26	29	31	32	31	31	31	32	32	32	35
2 x 6'	25	28	30	31	30	30	30	31	31	31	33
2 x 8'	24	27	29	30	29	29	29	30	30	30	32
2 x 10'	26	29	31	32	31	31	31	32	32	32	35
2 x 12'	26	29	31	32	31	31	31	32	32	32	35

Additions and deductions per 1,000 feet board measure [See section 14 (b) (10)].

## For working:

1. Rough, deduct \$4.50.
2. Shiplap, center matched, dressed and matched, grooved, or any other matcher dressing not otherwise provided for, add \$1.00. Patterns requiring moulder work, add \$6.50.
3. Ripping or resawing, add \$1.00 for each cut, both applicable only when machine run product is shipped.
4. End-matched and center matched, add \$4.00.

## For grade:

5. No. 2, 1050 F. Par. 333, add \$2.50 to No. 2 Common prices.
6. No. 1 Common and No. 2 Common, 85 or 90% Heart Facial Area, sizes 2 x 2 to 2 x 8, add \$15.00.
7. No. 1 Common and No. 2 Common, 85 or 90% Heart Facial Area, sizes 2 x 10 and 2 x 12, add \$20.00.
8. For grade marking in accordance with the provisions of section 9 (a), add \$1.00 per M'B.M.

## For condition:

9. Kiln dried, add \$1.00.
10. Green, deduct \$3.50.

## For size:

11. Extra standard thickness, thicker than American Lumber Standards (for yard stock), add \$1.00 where stock is dressed clean, or will permit slight skips as defined in Par. 48 of 1939 Standard Specifications for Southern Pine Lumber.
12. Odd or fractional widths, not listed, add \$3.00 to nearest greater listed width and compute footage on nominal size.

## For length:

13. Random lengths must average at least 14' (with tolerance of 3") and must take the 14' price.

## For length—Continued.

14. For any average length, except 9', charge the price for the specified length corresponding to the average length required and shipped. Where a 9' average is required charge the 8' price.
15. For precision cutting to a specified exact length, with tolerance of not more than 1/4" allowed, add \$1.50. No addition is permitted for customary double end trimming.
16. Odd or fractional lengths over 4', not listed, shall be counted and priced as the next longer even length.
17. For any length shorter than 4', cut to a specified exact length, charge the price of the nearest even multiple length up to 12'. If there is no even multiple length 12' or shorter, charge the 12' price. In either case, add \$1.50 per M'B.M. for each necessary cross cut, but the addition permitted in footnote 15 for precision cutting may not also be charged, and no total charge for such service may be greater than \$6.00 per M'B.M. If length breaks on even one-half foot, compute footage on actual length, otherwise compute on six inch breaks on the next break above.
18. Lengths longer than 24', add to 24' price as follows (for all grades):

## Length:

26'	\$2.00
28'	4.00
30'	6.00
32'	10.00
34'	14.00
36'	18.00
38'	24.00
40'	30.00

[Table 15 amended by Am. 2, 9 F. R. 2915, effective 3-16-44]



TABLE 16—TIMBER, ROUGH, GREEN

	No. 1 common specified lengths		Square edge and sound specified lengths		No. 1 structural and merchantable '05 specified lengths	
	8' to 14'	15', 18' and 20'	8' to 14'	15', 18' and 20'	8' to 14'	15', 18' and 20'
3 x 3 to 4 x 4	\$40.00	\$42.00	\$42.00	\$44.00	\$44.00	\$46.00
3 x 5 to 5 x 5	40.00	42.00	42.00	44.00	44.00	46.00
3 x 6 to 6 x 6	38.00	40.00	40.00	42.00	42.00	44.00
3 x 7 to 7 x 7	40.00	42.00	42.00	44.00	44.00	46.00
3 x 8 to 8 x 8	42.00	44.00	44.00	46.00	46.00	48.00
3 x 9 to 9 x 9	44.00	46.00	46.00	48.00	48.00	50.00
3 x 10 to 10 x 10	46.00	48.00	48.00	50.00	50.00	52.00
3 x 11 to 11 x 11	48.00	50.00	50.00	52.00	52.00	54.00
3 x 12 to 12 x 12	50.00	52.00	52.00	54.00	54.00	56.00
3 x 13 to 13 x 13	52.00	54.00	54.00	56.00	56.00	58.00
3 x 14 to 14 x 14	54.00	56.00	56.00	58.00	58.00	60.00
3 x 15 to 15 x 15	56.00	58.00	58.00	60.00	60.00	62.00
3 x 16 to 16 x 16	58.00	60.00	60.00	62.00	62.00	64.00
3 x 17 to 17 x 17	60.00	62.00	62.00	64.00	64.00	66.00
3 x 18 to 18 x 18	62.00	64.00	64.00	66.00	66.00	68.00
3 x 19 to 19 x 19	64.00	66.00	66.00	68.00	68.00	70.00
3 x 20 to 20 x 20	66.00	68.00	68.00	70.00	70.00	72.00

Additions and deductions per 1,000 feet board measure: (See section 14 (b) (10)).

- For working:
1. S1S, S2S, S3S, S4S, Shipap or T, and G, add \$3.00.
  2. Grooved two edges, add \$3.00 to merchantable '05 prices.
  3. Beveling and/or outgutting, for two edges on one face, add \$4.00; for four edges, or one face and one edge, add \$8.00 (to dressed price in each case).

For grade:

4. Structural square edge and sound, add \$3.00 to merchantable '05 prices.
5. Merchantable structural, add \$5.00 to merchantable '05 prices.
6. Square edge and sound, 85% heart cubical content, 6 x 6 and larger, not over 2" out of square, add \$5.00 to merchantable '05 prices.
7. 1905 prime, 8" and over, add \$3.00 to merchantable '05 prices.
8. 1905 prime, under 8", add \$10.00 to merchantable '05 prices.
9. Square edge and sound, 85% heart facial area, make following additions to merchantable '05 prices:

	24' and under	25' to 30'	31' to 40'
8 x 8 and under			
Over 8 x 8	\$10.00	\$14.00	\$20.00

10. Square edge and sound, 90% heart facial area, add \$3.00 to 85% heart facial area, square edge and sound prices.
11. Prime structural, add to merchantable '05 prices as follows: 24' and under, \$13.00; 25' to 30', \$17.00; 31' to 40', \$23.00.

12. Square edge and sound, 85% heart girth, add \$10.00 to 85% heart facial area, square edge and sound prices.
13. Square edge and sound, 90% heart girth, add \$13.00 to 85% heart facial area, square edge and sound prices.
14. Select structural, add to merchantable '05 prices, as follows:

	24' and under	25' to 30'	31' to 40'
Posts and timbers			
Joists, planks, beams and stringers	\$25.00	\$30.00	\$35.00

15. Select structural, heart requirement waived, deduct \$15.00 from select structural prices.
16. No. 2 timbers, deduct \$5.00 from merchantable '05 prices.
17. For grade marking in accordance with section 9 (a) add \$1.00 per M.B.M.

- For length:
18. 24' to 30', add \$1.00 per lineal foot to 24' price.
  19. 31' to 36', add \$2.00 per lineal foot to 30' price.
  20. 37' to 42', add \$3.00 per lineal foot to 36' price.
  21. 43' to 48', add \$4.00 per lineal foot to 42' price.
  22. 49' to 54', add \$5.00 per lineal foot to 48' price.
  23. 55' to 60', add \$6.00 per lineal foot to 54' price.
  24. Odd or fractional lengths over 8" shall be counted and priced as next longer even length.
  25. For lengths shorter than 8" use nearest multiple length price plus total of \$2.00 per M.B.M. for cross cutting.
  26. For any average length, charge the price for the specified length corresponding to the average length required and shipped.
  27. For precision cutting to a specified exact length, with tolerance of not more than 1/4" allowed, add \$2.00.
  28. No addition is permitted for customary double end trimming.

For condition:

29. Kiln dried, 23% moisture content, 3 x 3 and larger, and 2 x 14 and 2 x 16, add \$4.00.
30. Kiln dried, 20% moisture content, 2 x 14 and 2 x 16, add \$6.00.
31. Kiln dried, 20% moisture content, 40 square inches of end area and less, add \$5.00; and area greater than 40 square inches, add \$8.00.

For size:

32. 2 x common and grades above, for each 1" width above 20" width, add \$7.50 to the nearest comparable 20" price.
33. Fractional thickness, add \$3.00 to nearest listed greater thickness and compute footage on nominal size.
34. Fractional width, add \$3.00 to nearest listed wider width and compute footage on nominal size.
35. 2 x 14 and 2 x 16, add \$3.00 to comparable 3" price.

For any average size, charge the price for the average size required and shipped.

36. For a specified cubic average, the price shall be that of the length in 12 x 12 required to equal the average specified.
37. Footnote 1 amended and 16a added by Am. 2, 9 F.R. 2915, effective 3-16-44.]

TABLE 16A—2" PLANK AND JOISTS  
[Rough—green]

Size	No. 1 structural and merchantable '05 specified lengths		Structural square edge and sound specified lengths		Merchantable structural specified lengths	
	8' to 14'	15', 18' and 20'	8' to 14'	15', 18' and 20'	8' to 14'	15', 18' and 20'
2 x 4"	\$47.00	\$49.00	\$50.00	\$52.00	\$52.00	\$54.00
2 x 5"	47.00	49.00	50.00	52.00	52.00	54.00
2 x 6"	46.00	48.00	49.00	51.00	51.00	53.00
2 x 8"	46.00	48.00	49.00	51.00	51.00	53.00
2 x 10"	57.00	59.00	60.00	62.00	62.00	64.00
2 x 12"	67.00	69.00	70.00	72.00	72.00	74.00
2 x 14"						
2 x 16"						
2 x 18"						
2 x 20"						
2 x 22"						
2 x 24"						
2 x 26"						
2 x 28"						
2 x 30"						
2 x 32"						
2 x 34"						
2 x 36"						
2 x 38"						
2 x 40"						
2 x 42"						
2 x 44"						
2 x 46"						
2 x 48"						
2 x 50"						
2 x 52"						
2 x 54"						
2 x 56"						
2 x 58"						
2 x 60"						
2 x 62"						
2 x 64"						
2 x 66"						
2 x 68"						
2 x 70"						
2 x 72"						
2 x 74"						
2 x 76"						
2 x 78"						
2 x 80"						
2 x 82"						
2 x 84"						
2 x 86"						
2 x 88"						
2 x 90"						
2 x 92"						
2 x 94"						
2 x 96"						
2 x 98"						
2 x 100"						
2 x 102"						
2 x 104"						
2 x 106"						
2 x 108"						
2 x 110"						
2 x 112"						
2 x 114"						
2 x 116"						
2 x 118"						
2 x 120"						
2 x 122"						
2 x 124"						
2 x 126"						
2 x 128"						
2 x 130"						
2 x 132"						
2 x 134"						
2 x 136"						
2 x 138"						
2 x 140"						
2 x 142"						
2 x 144"						
2 x 146"						
2 x 148"						
2 x 150"						
2 x 152"						
2 x 154"						
2 x 156"						
2 x 158"						
2 x 160"						
2 x 162"						
2 x 164"						
2 x 166"						
2 x 168"						
2 x 170"						
2 x 172"						
2 x 174"						
2 x 176"						
2 x 178"						
2 x 180"						
2 x 182"						
2 x 184"						
2 x 186"						
2 x 188"						
2 x 190"						
2 x 192"						
2 x 194"						
2 x 196"						
2 x 198"						
2 x 200"						



TABLE 17—FLOORING, PLAIN END—SIDING—CEILING—PARTITION—O. G. BATTS

(Kiln dried—standard lengths)

## FLOORING—HEART FACE—EDGE GRAIN

Grade	4, 5, and 6'	7, 8, 9, and 10'	12 and 14'	16, 18, and 20'
1 x 3"—B and Better	\$85.00	\$95.00	\$96.00	\$98.00
1 x 3"—C	70.00	80.00	81.00	83.00
1 x 3"—D	58.00	63.00	64.00	66.00
1 x 3"—No. 2	55.00	60.00	61.00	63.00
1 x 4"—B and Better	83.00	93.00	94.00	96.00
1 x 4"—C	68.00	78.00	79.00	81.00
1 x 4"—D	56.00	61.00	62.00	64.00
1 x 4"—No. 2	53.00	58.00	59.00	61.00
5/4 x 3"—B and Better	107.00	117.00	118.00	120.00
5/4 x 3"—C	90.00	100.00	101.00	103.00
5/4 x 3"—D	73.00	78.00	79.00	81.00
5/4 x 3"—No. 2	71.00	76.00	77.00	79.00
5/4 x 4"—B and Better	105.00	115.00	116.00	118.00
5/4 x 4"—C	88.00	98.00	99.00	101.00
5/4 x 4"—D	71.00	76.00	77.00	79.00
5/4 x 4"—No. 2	69.00	74.00	75.00	77.00

## FLOORING—NO HEART SPECIFICATION—EDGE GRAIN

1 x 3"—B and Better	\$65.00	\$75.00	\$76.00	\$78.00
1 x 3"—C	57.00	67.00	68.00	70.00
1 x 3"—D	50.00	55.00	56.00	58.00
1 x 3"—No. 2	46.00	51.00	52.00	54.00
1 x 4"—B and Better	63.00	73.00	74.00	76.00
1 x 4"—C	55.00	65.00	66.00	68.00
1 x 4"—D	48.00	53.00	54.00	56.00
1 x 4"—No. 2	45.00	51.00	52.00	54.00
5/4 x 3"—B and Better	90.00	100.00	101.00	103.00
5/4 x 3"—C	75.00	85.00	86.00	88.00
5/4 x 3"—D	58.00	63.00	64.00	66.00
5/4 x 3"—No. 2	56.00	61.00	62.00	64.00
5/4 x 4"—B and Better	88.00	98.00	99.00	101.00
5/4 x 4"—C	73.00	83.00	84.00	86.00
5/4 x 4"—D	56.00	61.00	62.00	64.00
5/4 x 4"—No. 2	54.00	59.00	60.00	62.00

## HEART FACE—NEAR EDGE GRAIN

1 x 3"—B and Better	\$78.00	\$88.00	\$89.00	\$91.00
1 x 3"—C	63.00	73.00	74.00	76.00
1 x 3"—D	53.00	58.00	59.00	61.00
1 x 3"—No. 2	51.00	56.00	57.00	59.00
1 x 4"—B and Better	76.00	86.00	87.00	89.00
1 x 4"—C	61.00	71.00	72.00	74.00
1 x 4"—D	51.00	56.00	57.00	59.00
1 x 4"—No. 2	49.00	54.00	55.00	57.00
5/4 x 3"—B and Better	100.00	110.00	111.00	113.00
5/4 x 3"—C	83.00	93.00	94.00	96.00
5/4 x 3"—D	68.00	78.00	79.00	81.00
5/4 x 3"—No. 2	65.00	71.00	72.00	74.00
5/4 x 4"—B and Better	98.00	108.00	109.00	111.00
5/4 x 4"—C	81.00	91.00	92.00	94.00
5/4 x 4"—D	66.00	71.00	72.00	74.00
5/4 x 4"—No. 2	64.00	69.00	70.00	72.00

## NO HEART SPECIFICATION—NEAR EDGE GRAIN

1 x 3"—B and Better	\$58.00	\$68.00	\$69.00	\$71.00
1 x 3"—C	50.00	60.00	61.00	63.00
1 x 3"—D	45.00	50.00	51.00	53.00
1 x 3"—No. 2	41.00	46.00	47.00	49.00
1 x 4"—B and Better	56.00	66.00	67.00	69.00
1 x 4"—C	48.00	58.00	59.00	61.00
1 x 4"—D	43.00	48.00	49.00	51.00
1 x 4"—No. 2	41.00	46.00	47.00	49.00
5/4 x 3"—B and Better	83.00	93.00	94.00	96.00
5/4 x 3"—C	68.00	78.00	79.00	81.00
5/4 x 3"—D	53.00	58.00	59.00	61.00
5/4 x 3"—No. 2	51.00	56.00	57.00	59.00
5/4 x 4"—B and Better	81.00	91.00	92.00	94.00
5/4 x 4"—C	66.00	76.00	77.00	79.00
5/4 x 4"—D	51.00	56.00	57.00	59.00
5/4 x 4"—No. 2	49.00	54.00	55.00	57.00

## HEART FACE—FLAT GRAIN

1 x 3"—B and Better	\$63.00	\$73.00	\$74.00	\$76.00
1 x 3"—C	55.00	65.00	66.00	68.00
1 x 3"—D	48.00	53.00	54.00	56.00
1 x 3"—No. 2	43.00	48.00	49.00	51.00
1 x 4"—B and Better	61.00	71.00	72.00	74.00
1 x 4"—C	53.00	63.00	64.00	66.00
1 x 4"—D	46.00	51.00	52.00	54.00
1 x 4"—No. 2	43.00	48.00	49.00	51.00
5/4 x 3"—B and Better	85.00	95.00	96.00	98.00
5/4 x 3"—C	75.00	85.00	86.00	88.00
5/4 x 3"—D	53.00	58.00	59.00	61.00
5/4 x 3"—No. 2	40.00	51.00	52.00	54.00
5/4 x 4"—B and Better	85.00	95.00	96.00	98.00
5/4 x 4"—C	73.00	83.00	84.00	86.00
5/4 x 4"—D	53.00	58.00	59.00	61.00
5/4 x 4"—No. 2	46.00	51.00	52.00	54.00

TABLE 17—FLOORING, PLAIN END—SIDING—CEILING—PARTITION—O. G. BATTS—CON.

## NO HEART SPECIFICATION—FLAT GRAIN

Grade	4, 5, and 6'	7, 8, 9, and 10'	12 and 14'	16, 18, and 20'
1 x 3"—B and Better	\$48.00	\$58.00	\$59.00	\$61.00
1 x 3"—C	45.00	55.00	56.00	58.00
1 x 3"—D	38.00	43.00	44.00	46.00
1 x 3"—No. 2	37.00	42.00	43.00	45.00
1 x 4"—B and Better	46.50	56.50	57.50	59.50
1 x 4"—C	43.50	53.50	54.50	56.50
1 x 4"—D	38.00	43.00	44.00	46.00
1 x 4"—No. 2	35.00	40.00	41.00	43.00
1 x 4"—No. 3	31.00	36.00	37.00	39.00
5/4 x 3"—B and Better	63.00	73.00	74.00	76.00
5/4 x 3"—C	57.00	67.00	68.00	70.00
5/4 x 3"—D	45.00	50.00	51.00	53.00
5/4 x 3"—No. 2	40.00	45.00	46.00	48.00
5/4 x 3"—No. 3	35.00	37.00	38.00	40.00
5/4 x 4"—B and Better	62.00	72.00	73.00	75.00
5/4 x 4"—C	56.00	66.00	67.00	69.00
5/4 x 4"—D	43.00	48.00	49.00	51.00
5/4 x 4"—No. 2	38.00	43.00	44.00	46.00
5/4 x 4"—No. 3	33.00	35.00	36.00	38.00

## DROP SIDING

1 x 6"—Patterns 115-117-118-119, B and Better	\$43.00	\$48.00	\$49.00	\$51.00
1 x 6"—Patterns 115-117-118-119, C	40.00	45.00	46.00	48.00
1 x 6"—Patterns 115-117-118-119, D	41.00	44.00	45.00	47.00
1 x 6"—Patterns 115-117-118-119, No. 2	40.00	42.00	43.00	45.00
1 x 6"—Patterns 115-117-118-119, No. 3	32.00	34.00	35.00	37.00
1 x 6"—All other Patterns, B and Better	82.00	57.00	58.00	60.00
1 x 6"—All other Patterns, C	49.00	54.00	55.00	57.00
1 x 6"—All other Patterns, D	47.00	50.00	51.00	53.00
1 x 6"—All other Patterns, No. 2	42.00	44.00	45.00	47.00
1 x 6"—All other Patterns, No. 3	33.00	35.00	36.00	38.00
1 x 8"—All Patterns, B and Better	52.00	57.00	58.00	60.00
1 x 8"—All Patterns, C	49.00	54.00	55.00	57.00
1 x 8"—All Patterns, D	47.00	50.00	51.00	53.00
1 x 8"—All Patterns, No. 2	42.00	44.00	45.00	47.00
1 x 8"—All Patterns, No. 3	33.00	35.00	36.00	38.00

## BEVEL SIDING

5/8 x 4-5-6-8"—B and Better	\$40.00	\$45.00	\$46.00	\$48.00
5/8 x 4-5-6-8"—C	37.00	42.00	43.00	45.00
5/8 x 4-5-6-8"—D	33.00	36.00	37.00	39.00
5/8 x 4-5-6-8"—No. 2	31.00	33.00	34.00	36.00
5/8 x 4-5-6-8"—No. 3	23.00	25.00	26.00	28.00
1/2 x 4-5-6-8"—B and Better	34.00	39.00	40.00	42.00
1/2 x 4-5-6-8"—C	31.00	36.00	37.00	39.00
1/2 x 4-5-6-8"—D	28.00	31.00	32.00	34.00
1/2 x 4-5-6-8"—No. 2	27.00	29.00	30.00	32.00
1/2 x 4-5-6-8"—No. 3	20.00	22.00	23.00	25.00

## SQUARE EDGE SIDING

1/2 x 4-6-8"—S3S and S4S finished to 7/16 x 1/2" scant in width: B and Better	\$39.00	\$44.00	\$45.00	\$47.00
C	36.00	41.00	42.00	44.00
D	34.00	37.00	38.00	40.00
No. 2	31.00	33.00	34.00	36.00
No. 3	19.00	21.00	22.00	24.00

## CEILING, STD. BEAD OR V

5/16 & 7/16 x 3 & 4"—S1S: B and Better	\$32.00	\$37.00	\$38.00	\$40.00
C	30.00	35.00	36.00	38.00
D	27.00	30.00	31.00	33.00
No. 2	27.00	29.00	30.00	32.00
No. 3	19.00	21.00	22.00	24.00
5/16 & 7/16 x 6"—S1S: B and Better	34.00	39.00	40.00	42.00
C	32.00	37.00	38.00	40.00
D	29.00	32.00	33.00	35.00
No. 2	29.00	31.00	32.00	34.00
No. 3	21.00	23.00	24.00	26.00

TABLE 17—FLOORING, PLAIN END—SIDING—CEILING—PARTITION—O. G. BATTS—CON.

## CEILING, STD. BEAD OR V

Grade	4, 5, and 6'	7, 8, 9, and 10'	12 and 14'	16, 18, and 20'
5/16 and 7/16 x 3 and 4"—S2S: B and Better	\$35.00	\$40.00	\$41.00	\$43.00
C	33.00	38.00	39.00	41.00
D	29.00	32.00	33.00	35.00
No. 2	30.00	32.00	33.00	35.00
No. 3	19.00	21.00	22.00	24.00
5/16 and 7/16 x 6"—S2S: B and Better	38.00	43.00	44.00	46.00
C	35.00	40.00	41.00	43.00
D	30.00	33.00	34.00	36.00
No. 2	30.00	32.00	33.00	35.00
No. 3	22.00	24.00	25.00	27.00
11/16 to 25/32 x 3 and 4"—S2S: B and Better	50.00	55.00	56.00	58.00
C	47.00	52.00	53.00	55.00
D	39.00	42.00	43.00	45.00
No. 2	38.00	40.00	41.00	43.00
No. 3	22.00	24.00	25.00	27.00
9/16 x 3 and 4"—S2S: B and Better	36.00	41.00	42.00	44.00
C	34.00	39.00	40.00	42.00
D	31.00	34.00	35.00	37.00
No. 2	31.00	33.00	34.00	36.00
No. 3	21.00	23.00	24.00	26.00

## CEILING, STD. BEAD OR V

11/16 to 25/32 x 6"—S2S: B and Better	\$51.00	\$56.00	\$57.00	\$59.00
C	48.00	53.00	54.00	56.00
D	40.00	43.00	44.00	46.00
No. 2	39.00	41.00	42.00	44.00
No. 3	28.00	30.00	31.00	33.00

## PARTITION, STD. BEAD OR V

11/16 to 25/32 x 3 and 4": B and Better	\$50.00	\$55.00	\$56.00	\$58.00
C	47.00	52.00	53.00	55.00
D	39.00	42.00	43.00	45.00
No. 2	38.00	40.00	41.00	43.00
No. 3	22.00	24.00	25.00	27.00
11/16 to 25/32 x 6": B and Better	51.00	56.00	57.00	59.00
C	48.00	53.00	54.00	56.00
D	40.00	43.00	44.00	46.00
No. 2	39.00	41.00	42.00	44.00
No. 3	28.00	30.00	31.00	33.00

## O. G. BATTS

9/16 or 5/8 x 3":				
B and Better	\$38.00	\$43.00	\$44.00	\$46.00
C	36.00	41.00	42.00	44.00
D	33.00	36.00	37.00	39.00
No. 2	31.00	33.00	34.00	36.00
9/16 or 5/8 x 4":				
B and Better	36.00	41.00	42.00	44.00
C	34.00	39.00	40.00	42.00
D	31.00	34.00	35.00	37.00
No. 2	30.00	32.00	33.00	35.00



TABLE 18—FLOORING, END-MATCHED  
[Kiln dried]

HEART FACE SPECIFICATION				
19" to 96" nested and bundled for grades B and Better and C, 12" to 96" nested and bundled for grade D, 9" to 96" nested and bundled for grade No. 2.				
	Grade B and Better	Grade C	Grade D	Grade No. 2
Edge grain—				
1 x 3"	\$85	\$71	\$54	---
1 x 4"	83	69	52	---
Near edge grain—				
1 x 3"	80	68	51	---
1 x 4"	79	67	50	---
Flat grain—				
1 x 3"	64	55	52	\$47
1 x 4"	61	52	49	46

## NO HEART SPECIFICATION

19" to 96" nested and bundled for Grades B and Better and C, 12" to 96" nested and bundled for Grade D, 9" to 96" nested and bundled for Grades No. 2 and No. 3.				
Edge grain—				
1 x 3"	\$65	\$58	\$46	---
1 x 4"	63	56	44	---
Near edge grain—				
1 x 3"	60	55	43	---
1 x 4"	59	54	42	---
Flat grain—				
1 x 3"	47	44	42	\$37
1 x 4"	46	43	41	36

TABLE 21—FINISH, S4S KILN DRIED

GRADE B AND BETTER				
	Standard lengths 1	4' and 6' lengths	5', 10' and 12' lengths	7' and 14' lengths
4/4 edge 1 (S1S or S2S)	\$33.50	\$33.50	\$33.50	\$33.50
1 x 2 and 3	38.00	38.00	38.00	38.00
1 x 4	56.50	56.50	56.50	56.50
1 x 5	66.00	66.00	66.00	66.00
1 x 6	67.00	67.00	67.00	67.00
1 x 7	67.00	67.00	67.00	67.00
1 x 8	67.00	67.00	67.00	67.00
1 x 9	67.00	67.00	67.00	67.00
1 x 10	67.00	67.00	67.00	67.00
1 x 11	67.00	67.00	67.00	67.00
1 x 12	67.00	67.00	67.00	67.00
5/4 and 6/4 edge 1 (S1S or S2S)	67.75	67.75	67.75	67.75
5/4 and 6/4 2 and 3	72.00	72.00	72.00	72.00
5/4 and 6/4 4	80.00	80.00	80.00	80.00
5/4 and 6/4 5	72.00	72.00	72.00	72.00
5/4 and 6/4 6	72.00	72.00	72.00	72.00
5/4 and 6/4 7	72.00	72.00	72.00	72.00
5/4 and 6/4 8	72.00	72.00	72.00	72.00
5/4 and 6/4 9	72.00	72.00	72.00	72.00
5/4 and 6/4 10	72.00	72.00	72.00	72.00
5/4 and 6/4 11	72.00	72.00	72.00	72.00
5/4 and 6/4 12	72.00	72.00	72.00	72.00
5/4 and 6/4 13	72.00	72.00	72.00	72.00
5/4 and 6/4 14	72.00	72.00	72.00	72.00
5/4 and 6/4 15	72.00	72.00	72.00	72.00
5/4 and 6/4 16	72.00	72.00	72.00	72.00
5/4 and 6/4 17	72.00	72.00	72.00	72.00
5/4 and 6/4 18	72.00	72.00	72.00	72.00
5/4 and 6/4 19	72.00	72.00	72.00	72.00
5/4 and 6/4 20	72.00	72.00	72.00	72.00
5/4 and 6/4 21	72.00	72.00	72.00	72.00
5/4 and 6/4 22	72.00	72.00	72.00	72.00
5/4 and 6/4 23	72.00	72.00	72.00	72.00
5/4 and 6/4 24	72.00	72.00	72.00	72.00
5/4 and 6/4 25	72.00	72.00	72.00	72.00
5/4 and 6/4 26	72.00	72.00	72.00	72.00
5/4 and 6/4 27	72.00	72.00	72.00	72.00
5/4 and 6/4 28	72.00	72.00	72.00	72.00
5/4 and 6/4 29	72.00	72.00	72.00	72.00
5/4 and 6/4 30	72.00	72.00	72.00	72.00
5/4 and 6/4 31	72.00	72.00	72.00	72.00
5/4 and 6/4 32	72.00	72.00	72.00	72.00
5/4 and 6/4 33	72.00	72.00	72.00	72.00
5/4 and 6/4 34	72.00	72.00	72.00	72.00
5/4 and 6/4 35	72.00	72.00	72.00	72.00
5/4 and 6/4 36	72.00	72.00	72.00	72.00
5/4 and 6/4 37	72.00	72.00	72.00	72.00
5/4 and 6/4 38	72.00	72.00	72.00	72.00
5/4 and 6/4 39	72.00	72.00	72.00	72.00
5/4 and 6/4 40	72.00	72.00	72.00	72.00
5/4 and 6/4 41	72.00	72.00	72.00	72.00
5/4 and 6/4 42	72.00	72.00	72.00	72.00
5/4 and 6/4 43	72.00	72.00	72.00	72.00
5/4 and 6/4 44	72.00	72.00	72.00	72.00
5/4 and 6/4 45	72.00	72.00	72.00	72.00
5/4 and 6/4 46	72.00	72.00	72.00	72.00
5/4 and 6/4 47	72.00	72.00	72.00	72.00
5/4 and 6/4 48	72.00	72.00	72.00	72.00
5/4 and 6/4 49	72.00	72.00	72.00	72.00
5/4 and 6/4 50	72.00	72.00	72.00	72.00
5/4 and 6/4 51	72.00	72.00	72.00	72.00
5/4 and 6/4 52	72.00	72.00	72.00	72.00
5/4 and 6/4 53	72.00	72.00	72.00	72.00
5/4 and 6/4 54	72.00	72.00	72.00	72.00
5/4 and 6/4 55	72.00	72.00	72.00	72.00
5/4 and 6/4 56	72.00	72.00	72.00	72.00
5/4 and 6/4 57	72.00	72.00	72.00	72.00
5/4 and 6/4 58	72.00	72.00	72.00	72.00
5/4 and 6/4 59	72.00	72.00	72.00	72.00
5/4 and 6/4 60	72.00	72.00	72.00	72.00
5/4 and 6/4 61	72.00	72.00	72.00	72.00
5/4 and 6/4 62	72.00	72.00	72.00	72.00
5/4 and 6/4 63	72.00	72.00	72.00	72.00
5/4 and 6/4 64	72.00	72.00	72.00	72.00
5/4 and 6/4 65	72.00	72.00	72.00	72.00
5/4 and 6/4 66	72.00	72.00	72.00	72.00
5/4 and 6/4 67	72.00	72.00	72.00	72.00
5/4 and 6/4 68	72.00	72.00	72.00	72.00
5/4 and 6/4 69	72.00	72.00	72.00	72.00
5/4 and 6/4 70	72.00	72.00	72.00	72.00
5/4 and 6/4 71	72.00	72.00	72.00	72.00
5/4 and 6/4 72	72.00	72.00	72.00	72.00
5/4 and 6/4 73	72.00	72.00	72.00	72.00
5/4 and 6/4 74	72.00	72.00	72.00	72.00
5/4 and 6/4 75	72.00	72.00	72.00	72.00
5/4 and 6/4 76	72.00	72.00	72.00	72.00
5/4 and 6/4 77	72.00	72.00	72.00	72.00
5/4 and 6/4 78	72.00	72.00	72.00	72.00
5/4 and 6/4 79	72.00	72.00	72.00	72.00
5/4 and 6/4 80	72.00	72.00	72.00	72.00
5/4 and 6/4 81	72.00	72.00	72.00	72.00
5/4 and 6/4 82	72.00	72.00	72.00	72.00
5/4 and 6/4 83	72.00	72.00	72.00	72.00
5/4 and 6/4 84	72.00	72.00	72.00	72.00
5/4 and 6/4 85	72.00	72.00	72.00	72.00
5/4 and 6/4 86	72.00	72.00	72.00	72.00
5/4 and 6/4 87	72.00	72.00	72.00	72.00
5/4 and 6/4 88	72.00	72.00	72.00	72.00
5/4 and 6/4 89	72.00	72.00	72.00	72.00
5/4 and 6/4 90	72.00	72.00	72.00	72.00
5/4 and 6/4 91	72.00	72.00	72.00	72.00
5/4 and 6/4 92	72.00	72.00	72.00	72.00
5/4 and 6/4 93	72.00	72.00	72.00	72.00
5/4 and 6/4 94	72.00	72.00	72.00	72.00
5/4 and 6/4 95	72.00	72.00	72.00	72.00
5/4 and 6/4 96	72.00	72.00	72.00	72.00
5/4 and 6/4 97	72.00	72.00	72.00	72.00
5/4 and 6/4 98	72.00	72.00	72.00	72.00
5/4 and 6/4 99	72.00	72.00	72.00	72.00
5/4 and 6/4 100	72.00	72.00	72.00	72.00

See footnotes at end of table.

TABLE 21—FINISH, S4S KILN DRIED—Continued

GRADE B AND BETTER—continued							
	Standard lengths 1	4' and 6' lengths	8' lengths	5', 10' and 12' lengths	7' and 14' lengths	16' lengths	9', 18' and 20' lengths
7/4 and 8/4 x 10.....	\$80.00	\$80.00	\$80.00	\$80.00	\$81.00	\$82.00	\$83.00
7/4 and 8/4 x 11.....	83.00	83.00	83.00	83.00	84.00	84.00	85.00
7/4 and 8/4 x 12.....	96.00	96.00	96.00	96.00	96.00	97.00	98.00
10/4 edge 1 (S1S or S2S).....	84.50	84.50	84.50	84.50	85.50	86.50	87.50
10/4 4.....	90.00	90.00	90.00	90.00	91.00	92.00	93.00
10/4 5.....	95.00	95.00	95.00	95.00	96.00	97.00	98.00
10/4 6.....	90.00	90.00	90.00	90.00	91.00	92.00	93.00
10/4 7.....	94.00	94.00	94.00	94.00	95.00	96.00	97.00
10/4 8.....	94.00	94.00	94.00	94.00	95.00	96.00	97.00
10/4 9.....	94.00	94.00	94.00	94.00	95.00	96.00	97.00
10/4 10.....	94.00	94.00	94.00	94.00	95.00	96.00	97.00
10/4 11.....	94.00	94.00	94.00	94.00	95.00	96.00	97.00
10/4 12.....	94.00	94.00	94.00	94.00	95.00	96.00	97.00
12/4 edge 1 (S1S or S2S).....	108.75	108.75	108.75	108.75	109.75	110.75	111.75
12/4 4.....	108.00	108.00	108.00	108.00	109.00	110.00	111.00
12/4 5.....	110.00	110.00	110.00	110.00	111.00	112.00	113.00
12/4 6.....	108.00	108.00	108.00	108.00	109.00	110.00	111.00
12/4 7.....	109.00	109.00	109.00	109.00	110.00	111.00	112.00
12/4 8.....	105.00	105.00	105.00	105.00	106.00	107.00	108.00
12/4 9.....	109.00	109.00	109.00	109.00	110.00	111.00	112.00
12/4 10.....	109.00	109.00	109.00	109.00	110.00	111.00	112.00
12/4 11.....	113.00	113.00	113.00	113.00	114.00	115.00	116.00
12/4 12.....	125.00	125.00	125.00	125.00	126.00	127.00	128.00
GRADE C							
4/4 edge 1 (S1S or S2S).....	49.75	49.75	49.75	49.75	50.75	51.75	52.75
1 x 2 and 3.....	55.00	55.00	55.00	55.00	56.00	57.00	58.00
1 x 4.....	53.50	53.50	53.50	53.50	54.50	55.50	56.50
1 x 5.....	61.00	61.00	61.00	61.00	62.00	63.00	64.00
1 x 6.....	53.00	53.00	53.00	53.00	54.00	55.00	56.00
1 x 7.....	58.00	58.00	58.00	58.00	59.00	60.00	61.00
1 x 8.....	53.00	53.00	53.00	53.00	54.00	55.00	56.00
1 x 9.....	58.00	58.00	58.00	58.00	59.00	60.00	61.00
1 x 10.....	61.00	61.00	61.00	61.00	62.00	63.00	64.00
1 x 11.....	64.00	64.00	64.00	64.00	65.00	66.00	67.00
1 x 12.....	75.00	75.00	75.00	75.00	76.00	77.00	78.00
5/4 and 6/4 edge 1 (S1S or S2S).....	67.00	67.00	67.00	67.00	68.00	69.00	70.00
5/4 and 6/4 2 and 3.....	61.00	61.00	61.00	61.00	62.00	63.00	64.00
5/4 and 6/4 4.....	67.00	67.00	67.00	67.00	68.00	69.00	70.00
5/4 and 6/4 5.....	65.00	65.00	65.00	65.00	66.00	67.00	68.00
5/4 and 6/4 6.....	73.00	73.00	73.00	73.00	74.00	75.00	76.00
5/4 and 6/4 7.....	65.00	65.00	65.00	65.00	66.00	67.00	68.00
5/4 and 6/4 8.....	70.00	70.00	70.00	70.00	71.00	72.00	73.00
5/4 and 6/4 9.....	65.00	65.00	65.00	65.00	66.00	67.00	68.00
5/4 and 6/4 10.....	70.00	70.00	70.00	70.00	71.00	72.00	73.00
5/4 and 6/4 11.....	65.00	65.00	65.00	65.00	66.00	67.00	68.00
5/4 and 6/4 12.....	73.00	73.00	73.00	73.00	74.00	75.00	76.00
5/4 and 6/4 13.....	65.00	65.00	65.00	65.00	66.00	67.00	68.00
5/4 and 6/4 14.....	70.00	70.00	70.00	70.00	71.00	72.00	73.00
5/4 and 6/4 15.....	65.00	65.00	65.00	65.00	66.00	67.00	68.00
5/4 and 6/4 16.....	70.00	70.00	70.00	70.00	71.00	72.00	73.00
5/4 and 6/4 17.....	65.00	65.00	65.00	65.00	66.00	67.00	68.00
5/4 and 6/4 18.....	70.00	70.00	70.00	70.00	71.00	72.00	73.00
5/4 and 6/4 19.....	65.00	65.00	65.00	65.00	66.00	67.00	68.00
5/4 and 6/4 20.....	70.00	70.00	70.00	70.00	71.00	72.00	73.00
5/4 and 6/4 21.....	65.00	65.00	65.00	65.00	66.00	67.00	68.00
5/4 and 6/4 22.....	70.00	70.00	70.00	70.00	71.00	72.00	73.00
5/4 and 6/4 23.....	65.00	65.00	65.00	65.00	66.00	67.00	68.00
5/4 and 6/4 24.....	70.00	70.00	70.00	70.00	71.00	72.00	73.00
5/4 and 6/4 25.....	65.00	65.00	65.00	65.00	66.00	67.00	68.00
5/4 and 6/4 26.....	70.00	70.00	70.00	70.00	71.00	72.00	73.00
5/4 and 6/4 27.....	65.00	65.00	65.00	65.00	66.00	67.00	68.00
5/4 and 6/4 28.....	70.00	70.00	70.00	70.00	71.00	72.00	73.00
5/4 and 6/4 29.....	65.00	65.00	65.00	65.00	66.00	67.00	68.00
5/4 and 6/4 30.....	70.00	70.00	70.00	70.00	71.00	72.00	73.00
5/4 and 6/4 31.....	65.00	65.00	65.00	65.00	66.00	67.00	68.00
5/4 and 6/4 32.....	70.00	70.00	70.00	70.00	71.00	72.00	73.00
10/4 edge 2 (S1S or S2S).....	73.25	73.25	73.25	73.25	74.25	75.25	76.25
10/4 4.....	78.00	78.00	78.00	78.00	79.00	80.00	81.00
10/4 5.....	86.00	86.00	86.00	86.00	87.00	88.00	89.00
10/4 6.....	80.00	80.00	80.00	80.00	81.00	82.00	83.00
10/4 7.....	83.00	83.00	83.00	83.00	84.00	85.00	86.00
10/4 8.....	78.00	78.00	78.00	78.00	79.00	80.00	81.00
10/4 9.....	83.00	83.00	83.00	83.00	84.00	85.00	86.00
10/4 10.....	86.00	86.00	86.00	86.00	87.00	88.00	89.00
10/4 11.....	89.00	89.00	89.00	89.00	90.00	91.00	92.00
10/4 12.....	98.00	98.00	98.00	98.00	99.00	100.00	101.00
12/4 edge 2 (S1S or S2S).....	82.75	82.75	82.75	82.75	83.75	84.75	85.75
12/4 4.....	88.00	88.00	88.00	88.00	89.00	90.00	91.00
12/4 5.....	96.00	96.00	96.00	96.00	97.00	98.00	99.00
12/4 6.....	88.00	88.00	88.00	88.00	89.00	90.00	91.00
12/4 7.....	93.00	93.00	93.00	93.00	94.00	95.00	96.00
12/4 8.....	88.00	88.00	88.00	88.00	89.00	90.00	91.00
12/4 9.....	93.00	93.00	93.00	93.00	94.00	95.00	96.00
12/4 10.....	88.00	88.00	88.00	88.00	89.00	90.00	91.00
12/4 11.....	96.00	96.00	96.00	96.00	97.00	98.00	99.00
12/4 12.....	108.00	108.00	108.00	108.00	109.00	110.00	111.00



*Additions and deductions per 1,000 feet board measure: [See section 14 (b) (10)].*

For working:

1. Rough, deduct \$2.00.

2. Where material is required S2S only, add \$1.00.

For grade:

3. Edge grain, add \$15.00 to select price only.

4. Grades and specifications other than those contained in A. A. R. Rules, the maximum price shall be the price for the A. A. R. grades and specifications which most closely correspond to the grades and specifications for the car material item involved in the sale governed by the schedule.

5. For grade marking in accordance with section 9 (a) add \$1.00 per M/BM.

For condition:

6. Air dried, stain no defect, deduct \$5.00.

7. Air dried, deduct \$4.00.

8. Green, deduct \$5.00.

For size:

9. 5/4 and 6/4, add \$10.00 to 4/4 prices.

10. 2 1/2" and 2 3/4" par. 53, 55, 59, and 62, add \$15.00 to 3/4 prices; and for 2 1/2" and 2 3/4" par. 54, 56, and 60, add \$3.00 to 3/4 prices.

11. Extra standard thickness, other than those covered by A. A. R., add \$1.00 where stock is dressed clean.

12. Odd or fractional widths, add \$3.00 to nearest greater listed width and compute footage on nominal rough size.

13. For precision cutting to a specified exact length, with tolerance of not more than 1/4" allowed, add \$1.50.

14. No addition is permitted for customary double end trimming.

15. Odd on fractional lengths, except 5' and 9', shall be counted and priced as next longer even length.

16. For any average length, charge the price for the specified length corresponding to the average length required and shipped.

For inspection:

17. Final inspection at destination in car repair or building establishment rather than at shipping point, add \$5.00.

18. The prices in this table apply only to direct mill sales for delivery to railroads, railroad car builders and repair shops. Maximum prices applicable to other purchasers may be established upon application to the lumber branch of the national office pursuant to section 22 hereof. In addition to the information specified in section 22 sellers must show for what uses the purchaser has ordered the car material.

19. Specifications for car material designated above, (A. A. R. rules) correspond to the specifications issued by the Association of American Railroads as set forth in its pamphlet M-907-33, adopted 1910; revised 1933.

[Footnote 4a added by Am. 2, 9 F.R. 2915, effective 3-16-44]

TABLE 22A—CAR MATERIAL, FLOORING (DECKING), FLOOR BOARDS AND DOOR SILLS, DRESSED TO ALL PATTERNS, KILN DRIED OR AIR DRIED<sup>1</sup>

Size and grade	8' lengths	9' lengths	10' lengths	12' lengths	14' lengths	16' lengths
Select (par. 57 A. A. R. rules): <sup>1</sup>						
1 x 4 and 1 x 6	\$75.00	\$80.00	\$75.00	\$75.00	\$75.00	\$80.00
1 x 4 and 1 x 6 A. A. R. rules): <sup>1</sup>						
1 x 4 and 1 x 6	\$80.00	\$85.00	\$80.00	\$80.00	\$80.00	\$85.00
1 x 4 and 1 x 6 A. A. R. rules): <sup>1</sup>						
1 x 4 and 1 x 6	\$85.00	\$90.00	\$85.00	\$85.00	\$85.00	\$90.00
Common (par. 58 A. A. R. rules): <sup>1</sup>						
1 x 4 and 1 x 6	\$60.00	\$65.00	\$60.00	\$60.00	\$60.00	\$65.00
1 x 4 and 1 x 6 A. A. R. rules): <sup>1</sup>						
1 x 4 and 1 x 6	\$65.00	\$70.00	\$65.00	\$65.00	\$65.00	\$70.00

*Additions and deductions per 1,000 feet board measure: [See section 14 (b) (10)].*

For working:

1. Rough, deduct \$2.00.

2. Where material is required S2S only, add \$1.00.

3. Stock dressed 2 1/2" net thickness, count and price as 2 3/4".

For grade:

4. Edge grain, add \$15.00 to select price only.

5. Grades and specifications other than those contained in A. A. R. Rules, the maximum price shall be the price for the A. A. R. grades and specifications which most closely correspond to the grades and specifications for the car material item involved in the sale governed by the schedule.

6. Heart Face, Common (par. 58), add \$10.00.

6a. For grade marking in accordance with section 9 (a) add \$1.00 per M/BM.

For condition:

7. Drying to moisture content of less than 15% add \$5.00.

8. Green, deduct \$5.00.

For size:

9. Extra standard thickness, other than those covered by A. A. R., add \$1.00 where stock is dressed clean.

10. Odd or fractional widths, add \$3.00 to nearest greater listed width and compute footage on nominal rough size.

11. For precision cutting to a specified exact length, with tolerance of not more than 1/4" allowed, add \$1.50.

12. No addition is permitted for customary double end trimming.

13. Final inspection at destination in car repair or building establishment rather than at shipping point, add \$5.00.

See footnotes at end of table.

*Additions and deductions per 1,000 feet board measure: [See section 14 (b) (10)].*

For working:

1. Rough, B and Better, deduct \$3.00.

2. Rough, C, deduct \$2.00.

3. S2S and T & G, (5' and wider only) or S1S, S2S, Shiplap, all widths, add \$2.00. This Table may not be used in pricing Flooring, Siding, Ceiling, or any other pattern for which a maximum price is set in any of the Tables.

4. Ripping or resawing, add \$1.00 for each cut, both applicable only when machine run stock is shipped.

5. Casing, base, pane, apron, pulley sills or any other pattern requiring moulder work (not including mouldings), add \$7.50 for 1 x 6 stock, \$10.00 for 2 x 4 and thicker.

6. Nosed stepping, add \$3.00.

7. Rending one edge, add \$3.00.

8. Ripping, add \$5.00.

For grade:

9. Discreetly Am. 3, 9 F.R. 6232, effective 6-12-44

10. For grade marking in accordance with section 9 (a) add \$1.00 per M/BM.

For condition:

11. Air dried, stain no defect, deduct \$5.00.

12. Air dried, deduct \$4.00.

For size:

13. 1 3/4" and wider, add \$3.50 per inch or fraction thereof to 12" prices and compute footage on nominal size.

14. Extra standard thickness, thicker than American Lumber Standards (for yard stock), add \$1.00 where stock is dressed clean or will permit slight ships as defined in paragraph 48 of 1939 Standard Specifications for Southern Pine Lumber.

15. [Deleted by Am. 4, effective 9-19-44]

16. For precision cutting to a specified exact length, with tolerance of not more than 1/4" allowed, add \$1.50.

17. No addition is permitted for customary double end trimming.

18. For any length shorter than 4', cut to a specified exact length, charge the price of the nearest even length up to 12". If there is no even multiple length 12" or shorter, charge the 12" price. In either case, add \$1.50 per M/BM for each necessary cross cut, but the addition for precision cutting permitted in footnote 16 may not also be charged, and no total charge for such service may be greater than \$5.00 per M/BM.

If length breaks on even one-half foot compute footage on actual length, otherwise compute on six-inch breaks on the next break above.

<sup>1</sup> Standard lengths are 8' to 20' inclusive, and in shipments of standard lengths, 5% of 8 foot in C and Better grades shall be permitted.

<sup>2</sup> Edge widths are random widths, including odd, even or fractional widths measurement shall be according to paragraph 136, S. P. I. B. Rules.

<sup>3</sup> [Deleted by Am. 4, effective 9-19-44]

[Footnotes 10 and 14 amended by Am. 2, 9 F.R. 2915, effective 3-16-44; Restricted random widths deleted from Table 21 and footnote 3 amended by Am. 4, effective 9-19-44]

TABLE 22—CAR MATERIAL, OTHER THAN DECKING AND FRAMING DRESSED TO PATTERN—KILN DRIED<sup>1</sup>

Size and grade	8' lengths	9' lengths	10' lengths	12' lengths	14' lengths	16' lengths	18' & 20' lengths	22' & 24' lengths
Select (par. 61 A. A. R. rules): <sup>1</sup>								
1 x 4 and 1 x 6	\$85.00	\$90.00	\$85.00	\$85.00	\$85.00	\$90.00	\$85.00	\$85.00
Common (par. 62 A. A. R. rules): <sup>1</sup>								
1 x 4 and 1 x 6	\$55.00	\$60.00	\$55.00	\$55.00	\$55.00	\$60.00	\$55.00	\$55.00
Select (par. 63-69 A. A. R. rules): <sup>1</sup>								
1 x 4, 1 x 6 and 1 x 8	\$55.00	\$60.00	\$55.00	\$55.00	\$55.00	\$60.00	\$55.00	\$55.00
1 x 10	\$65.00	\$70.00	\$65.00	\$65.00	\$65.00	\$70.00	\$65.00	\$65.00
1 x 12	\$75.00	\$80.00	\$75.00	\$75.00	\$75.00	\$80.00	\$75.00	\$75.00
Common (par. 70 A. A. R. rules): <sup>1</sup>								
1 x 4, 1 x 6 and 1 x 8	\$55.00	\$60.00	\$55.00	\$55.00	\$55.00	\$60.00	\$55.00	\$55.00
1 x 10	\$65.00	\$70.00	\$65.00	\$65.00	\$65.00	\$70.00	\$65.00	\$65.00
1 x 12	\$75.00	\$80.00	\$75.00	\$75.00	\$75.00	\$80.00	\$75.00	\$75.00
Common (par. 71 A. A. R. rules): <sup>1</sup>								
1 x 4, 1 x 6 and 1 x 8	\$55.00	\$60.00	\$55.00	\$55.00	\$55.00	\$60.00	\$55.00	\$55.00
1 x 10	\$65.00	\$70.00	\$65.00	\$65.00	\$65.00	\$70.00	\$65.00	\$65.00
1 x 12	\$75.00	\$80.00	\$75.00	\$75.00	\$75.00	\$80.00	\$75.00	\$75.00
Select (par. 72-79 A. A. R. rules): <sup>1</sup>								
2 x 4	\$75.00	\$80.00	\$75.00	\$75.00	\$75.00	\$80.00	\$75.00	\$75.00
2 x 6	\$85.00	\$90.00	\$85.00	\$85.00	\$85.00	\$90.00	\$85.00	\$85.00
2 x 8	\$95.00	\$100.00	\$95.00	\$95.00	\$95.00	\$100.00	\$95.00	\$95.00
2 x 10	\$105.00	\$110.00	\$105.00	\$105.00	\$105.00	\$110.00	\$105.00	\$105.00
2 x 12	\$115.00	\$120.00	\$115.00	\$115.00	\$115.00	\$120.00	\$115.00	\$115.00
Common (par. 80 A. A. R. rules): <sup>1</sup>								
2 x 4	\$55.00	\$60.00	\$55.00	\$55.00	\$55.00	\$60.00	\$55.00	\$55.00
2 x 6	\$65.00	\$70.00	\$65.00	\$65.00	\$65.00	\$70.00	\$65.00	\$65.00
2 x 8	\$75.00	\$80.00	\$75.00	\$75.00	\$75.00	\$80.00	\$75.00	\$75.00
2 x 10	\$85.00	\$90.00	\$85.00	\$85.00	\$85.00	\$90.00	\$85.00	\$85.00
2 x 12	\$95.00	\$100.00	\$95.00	\$95.00	\$95.00	\$100.00	\$95.00	\$95.00

See footnotes at end of table.



ARTICLE VI—Continued

FINISH

1 x 2" to 1 x 10" S1S or S2S 2 1/2" add.	2,600
1 x 12" S1S or S2S 2 1/2" add.	2,700
1 x 2" to 1 x 10" S3S or S4S 2 1/2" add.	2,800
1 x 12" S3S or S4S 2 1/2" add.	2,900
1 1/2" x 12" to 2 x 12" S1S or S2S	2,900
1 1/2" x 12" to 2 x 12" S3S or S4S	2,900
1 1/2" x 12" to 2 x 12" S3S or S4S	2,900
1" finish dressed to 1 1/4" add.	2,900
2" finish dressed to 1 1/4" add.	2,900
1 x 2" to 2 x 12" rough	3,200
1 x 12" to 2 x 12" rough	3,300

CASING—BASE—JAMES

Moulded casing, all widths	2,100
Jambes—1"	2,100
Jambes—1 1/4" to 2"	2,300

STRIPS AND BOARDS (1 INCH)

1 x 2" to 1 x 10" S1S or S2S 2 1/2" add.	2,700
1 x 12" S1S or S2S 2 1/2" add.	2,800
1 x 2" to 1 x 10" S3S or S4S 2 1/2" add.	2,900
1 x 12" S3S or S4S 2 1/2" add.	3,000
1 1/2" x 12" to 2 x 12" S1S or S2S	2,900
1 1/2" x 12" to 2 x 12" S3S or S4S	2,900
1 1/2" x 12" to 2 x 12" S3S or S4S	2,900
1" finish dressed to 1 1/4" add.	2,900
2" finish dressed to 1 1/4" add.	2,900
1 x 2" to 2 x 12" rough	3,200
1 x 12" to 2 x 12" rough	3,300

2" DIMENSION, FACTORY FLOORING AND ROOF DECKING

2 x 2" to 2 x 8" rough	3,400
2 x 2" to 2 x 8" dressed to 1 1/2"	3,500
2 x 2" to 2 x 8" dressed to 1 1/2"	3,600
2 x 2" to 2 x 8" dressed to 1 1/2"	3,700
2 x 2" to 2 x 8" dressed to 1 1/2"	3,800
2 x 2" to 2 x 8" dressed to 1 1/2"	3,900
2 x 2" to 2 x 8" dressed to 1 1/2"	4,000
2 x 2" to 2 x 8" dressed to 1 1/2"	4,100
2 x 2" to 2 x 8" dressed to 1 1/2"	4,200
2 x 2" to 2 x 8" dressed to 1 1/2"	4,300
2 x 2" to 2 x 8" dressed to 1 1/2"	4,400
2 x 2" to 2 x 8" dressed to 1 1/2"	4,500
2 x 2" to 2 x 8" dressed to 1 1/2"	4,600
2 x 2" to 2 x 8" dressed to 1 1/2"	4,700
2 x 2" to 2 x 8" dressed to 1 1/2"	4,800
2 x 2" to 2 x 8" dressed to 1 1/2"	4,900
2 x 2" to 2 x 8" dressed to 1 1/2"	5,000

2" PLANK AND JOISTS

2" x 2" to 2 x 12 inclusive use 2" dimension weights as shown above.	2,100
2 x 14 and wider use timber weights as shown below.	2,200

HEAVY JOISTS, TIMBERS, ETC. (COVER 2" THICK)

Rough, green	4,500
S4S 3/4" scant, green	4,200
S4S 3/4" scant, green	4,000
S4S 3/4" scant, green	3,800
S4S 3/4" scant, green	3,600
S4S 3/4" scant, green	3,400
S4S 3/4" scant, green	3,200
S4S 3/4" scant, green	3,000
S4S 3/4" scant, green	2,800
S4S 3/4" scant, green	2,600
S4S 3/4" scant, green	2,400
S4S 3/4" scant, green	2,200
S4S 3/4" scant, green	2,000
S4S 3/4" scant, green	1,800
S4S 3/4" scant, green	1,600
S4S 3/4" scant, green	1,400
S4S 3/4" scant, green	1,200
S4S 3/4" scant, green	1,000
S4S 3/4" scant, green	800
S4S 3/4" scant, green	600
S4S 3/4" scant, green	400
S4S 3/4" scant, green	200
S4S 3/4" scant, green	100
S4S 3/4" scant, green	50

TABLE 23—STANDARD PLASTERING, AND FENCE LATH, KILN DRIED

Size	Grade No. 1	Grade No. 2	Grade No. 3
3/4 x 1 1/2" f' plastering lath	\$5.75	\$5.00	\$3.50
3/4 x 1 1/2" f' plastering lath	4.00	3.50	2.50
3/4 x 1 1/2" f' plastering lath	3.50	3.00	2.00
3/4 x 1 1/2" f' plastering lath	3.00	2.50	1.50
3/4 x 1 1/2" f' plastering lath	2.50	2.00	1.00
3/4 x 1 1/2" f' plastering lath	2.00	1.50	.75
3/4 x 1 1/2" f' plastering lath	1.50	1.00	.50
3/4 x 1 1/2" f' plastering lath	1.00	.75	.25
3/4 x 1 1/2" f' plastering lath	.75	.50	.10
3/4 x 1 1/2" f' plastering lath	.50	.25	.05
3/4 x 1 1/2" f' plastering lath	.25	.10	.02
3/4 x 1 1/2" f' plastering lath	.10	.05	.01
3/4 x 1 1/2" f' plastering lath	.05	.02	.00

Additions and deductions per 1,000 pieces

For condition:	
1. Air dried, deduct 25¢.	
2. Green, deduct 50¢.	

TABLE 24—BIRD SLATS, S4S—AIR DRIED OR KILN DRIED (BUNDLED)

Grade and size	Per set (8 pieces) 39"	Per set (8 pieces) 42"	Per set (8 pieces) 54" to 56"
No. 1—1 x 3	\$0.35	\$0.37	\$0.48
No. 2—1 x 3	.28	.30	.41

[Former Table 25 included in Table 17 as amended by Am. 4, effective 9-19-44]

ARTICLE VI—APPENDIX C: THE FIGURES GIVEN REFER TO DRY WEIGHT, EXCEPT WHERE OTHERWISE SPECIFIED

FLOORING

Grade and size	Per set (8 pieces) 39"	Per set (8 pieces) 42"	Per set (8 pieces) 54" to 56"
1 x 3" (for hollow back deduct 100 lbs.)	2,000	2,000	1,800
1 x 4" (for hollow back deduct 100 lbs.)	2,100	2,100	1,900
1 1/4 x 3" (for hollow back deduct 100 lbs.)	2,200	2,200	2,000
1 1/4 x 4" (for hollow back deduct 100 lbs.)	2,300	2,300	2,100

CEILING AND PARTITION

3/4 x 6" ceiling	1,000	900
3/4 x 6" ceiling	1,200	1,100
3/4 x 6" ceiling	1,500	1,400
3/4 x 6" ceiling (and Boston partition)	1,800	1,700
3/4 x 6" partition and ceiling, use same weights as flooring.	1,900	1,800

DROP SIDING

1 x 6" (pat. 116)	2,000	2,000
1 x 6" (pat. 117)	2,100	2,100
1 x 6" (pat. 118)	2,200	2,200
1 x 6" (pat. 119)	2,300	2,300
1 x 6" (pat. 120)	2,400	2,400
1 x 6" (pat. 121)	2,500	2,500
1 x 6" (pat. 122)	2,600	2,600
1 x 6" (pat. 123)	2,700	2,700
1 x 6" (pat. 124)	2,800	2,800
1 x 6" (pat. 125)	2,900	2,900
1 x 6" (pat. 126)	3,000	3,000
1 x 6" (pat. 127)	3,100	3,100
1 x 6" (pat. 128)	3,200	3,200
1 x 6" (pat. 129)	3,300	3,300
1 x 6" (pat. 130)	3,400	3,400
1 x 6" (pat. 131)	3,500	3,500
1 x 6" (pat. 132)	3,600	3,600
1 x 6" (pat. 133)	3,700	3,700
1 x 6" (pat. 134)	3,800	3,800
1 x 6" (pat. 135)	3,900	3,900
1 x 6" (pat. 136)	4,000	4,000
1 x 6" (pat. 137)	4,100	4,100
1 x 6" (pat. 138)	4,200	4,200
1 x 6" (pat. 139)	4,300	4,300
1 x 6" (pat. 140)	4,400	4,400
1 x 6" (pat. 141)	4,500	4,500
1 x 6" (pat. 142)	4,600	4,600
1 x 6" (pat. 143)	4,700	4,700
1 x 6" (pat. 144)	4,800	4,800
1 x 6" (pat. 145)	4,900	4,900
1 x 6" (pat. 146)	5,000	5,000

The prices in this table apply only to direct mill sales for delivery to railroads, railroad car builders and repair shops. Maximum price payable to other purchasers may be established upon application to the National Office of the National Office pursuant to section 22 hereof. In addition to the information specified in section 22, sellers must show for what uses the purchaser has ordered the car material.

Specifications for car material designated above, (A. A. R. rules) correspond to the specifications issued by the Association of American Railroads as set forth in its pamphlet M-907-33, adopted 1910; revised 1933.

[Footnote 6a added by Am. 2, 9 F.R. 2915, effective 3-16-44]

TABLE 22B—CAR MATERIAL, FRAMING SPECIFIED OR RANDOM LENGTHS, 8' TO 14'—ROUGH GREEN

Size	Group 7, par. 64, Common	Group 8, par. 65, Structural, no heart required	Group 9, par. 66, Select Structural, no heart required	Group 10, par. 67, Select Structural, no heart required	Group 11, par. 68, Common Structural, no heart required	Group 12, par. 69, Common Structural, no heart required	Group 13, par. 70, Select Structural, no heart required	Group 14, par. 71, Common Structural, no heart required	Group 15, par. 72, Common Structural, no heart required
3 to 5 x 3 to 8"	\$48.00	\$63.00	\$63.00	\$63.00	\$63.00	\$63.00	\$63.00	\$63.00	\$63.00
3 to 5 x 9 and 10"	58.00	73.00	73.00	73.00	73.00	73.00	73.00	73.00	73.00
3 to 5 x 11 and 12"	71.00	86.00	86.00	86.00	86.00	86.00	86.00	86.00	86.00
3 to 5 x 13 and 14"	82.00	97.00	97.00	97.00	97.00	97.00	97.00	97.00	97.00

Additions and deductions per 1,000 feet board measure: [See section 14(b) (10)]

For working:	
1. Dressing to standard patterns, add \$2.00.	
For heart requirement:	
2. 85% heart cubical content, add \$5.00.	
3. 100% prime as to heart 8" and over, add \$8.00.	
4. 100% prime as to heart under 8", add \$10.00.	
5. 85% heart facial area, make following additions:	

Size	24' and under	25' to 30'	31' to 40'
8 x 8 and under	\$10.00	\$14.00	\$20.00
Over 8 x 8	12.00	16.00	22.00

6. 90% heart facial area, add \$3.00 to 85% heart facial area prices.

7. 85% heart girth, add \$10.00 to 85% heart facial area prices.

8. 90% heart girth, add \$13.00 to 85% heart facial area prices.

9. Select structural, heart content required, groups 8, 9 and 10, paragraphs 65, 67 and 70, add \$15.00.

10. Grades and specifications other than those contained in A. A. R. rules, the maximum price shall be the price for the A. A. R. grades and specifications which most closely correspond to the grades and specifications for the car material item involved in the sale governed by this schedule.

11. For grade marking in accordance with section 9 (a) add \$1.00 per M B M.

12. For grade marking in accordance with section 9 (a) add \$1.00 per M B M.

13. For grade marking in accordance with section 9 (a) add \$1.00 per M B M.

14. For grade marking in accordance with section 9 (a) add \$1.00 per M B M.

15. For grade marking in accordance with section 9 (a) add \$1.00 per M B M.

16. For grade marking in accordance with section 9 (a) add \$1.00 per M B M.

17. For grade marking in accordance with section 9 (a) add \$1.00 per M B M.

18. For grade marking in accordance with section 9 (a) add \$1.00 per M B M.

19. For grade marking in accordance with section 9 (a) add \$1.00 per M B M.

20. For grade marking in accordance with section 9 (a) add \$1.00 per M B M.

21. For grade marking in accordance with section 9 (a) add \$1.00 per M B M.

22. For grade marking in accordance with section 9 (a) add \$1.00 per M B M.

23. For grade marking in accordance with section 9 (a) add \$1.00 per M B M.

24. For grade marking in accordance with section 9 (a) add \$1.00 per M B M.

25. For grade marking in accordance with section 9 (a) add \$1.00 per M B M.

26. For grade marking in accordance with section 9 (a) add \$1.00 per M B M.

27. For grade marking in accordance with section 9 (a) add \$1.00 per M B M.

28. For grade marking in accordance with section 9 (a) add \$1.00 per M B M.

29. For grade marking in accordance with section 9 (a) add \$1.00 per M B M.

30. For grade marking in accordance with section 9 (a) add \$1.00 per M B M.

31. For grade marking in accordance with section 9 (a) add \$1.00 per M B M.

32. For grade marking in accordance with section 9 (a) add \$1.00 per M B M.

33. For grade marking in accordance with section 9 (a) add \$1.00 per M B M.

34. For grade marking in accordance with section 9 (a) add \$1.00 per M B M.

35. For grade marking in accordance with section 9 (a) add \$1.00 per M B M.

36. For grade marking in accordance with section 9 (a) add \$1.00 per M B M.

37. For grade marking in accordance with section 9 (a) add \$1.00 per M B M.

38. For grade marking in accordance with section 9 (a) add \$1.00 per M B M.

39. For grade marking in accordance with section 9 (a) add \$1.00 per M B M.

40. For grade marking in accordance with section 9 (a) add \$1.00 per M B M.

41. For grade marking in accordance with section 9 (a) add \$1.00 per M B M.

42. For grade marking in accordance with section 9 (a) add \$1.00 per M B M.

43. For grade marking in accordance with section 9 (a) add \$1.00 per M B M.

44. For grade marking in accordance with section 9 (a) add \$1.00 per M B M.

45. For grade marking in accordance with section 9 (a) add \$1.00 per M B M.



ARTICLE IV—Continued  
CAR SIDING, LINING AND ROOFING

	Longleaf (pounds)	Shortleaf (pounds)
1 x 4" and 1 x 6" T & G 1 3/4".....	2,200	2,200
1 x 4" and 1 x 6" S2S 1 3/4".....	2,600	2,600
For 2 1/2", deduct.....	100	100

## LONGITUDINAL SHEATHING AND STOCK CAR SLATS

2 x 4" T & G 1 3/4".....	2,400	2,400
2 x 4" T & G 1 1/2".....	2,300	2,300
2 x 4" T & G 1 1/4".....	2,100	2,100
2 x 4" S2S to 1 3/4".....	2,900	2,900
2 x 4" S2S to 1 1/2".....	2,700	2,700
2 x 4" S2S to 1 1/4".....	2,500	2,500
2 x 6" T & G to 1 3/4".....	2,500	2,500
2 x 6" T & G to 1 1/2".....	2,400	2,400
2 x 6" T & G to 1 1/4".....	2,200	2,200
2 x 6" S2S to 1 3/4".....	2,900	2,900
2 x 6" S2S to 1 1/2".....	2,700	2,700
2 x 6" S2S to 1 1/4".....	2,500	2,500

## CAR DECKING

2 x 6" and 2 x 8" S2S and T & G 1 3/4", dry.....	2,800	2,600
2 1/2" x 6" to 3" x 8" S2S and T & G, dry.....	2,900	2,700
2 x 6" to 3 x 8" S2S and T & G, green.....	3,500	3,500
2 x 6" to 3 x 8" S2S, dry.....	3,200	3,000
2 x 6" to 3 x 8" S2S, green.....	4,200	4,200
2 x 6" to 3 x 8" S1S 1 3/8" scant, dry.....	3,400	3,200
2 x 6" to 3 x 8" rough, dry.....	3,600	3,400
2 x 6" to 3 x 8" rough, green.....	4,500	4,500

[\*Item amended by Am. 4, effective 9-19-44]

## MISCELLANEOUS

Plastering lath, 48" K. D.....	500	500
Plastering lath, 48" green.....	1,000	1,000
Plastering lath, 32" K. D.....	340	340
Fence lath, 1/2" x 1 1/4" - 48" K. D.....	800	800
Bed slats, 1 x 3" - 4' 6", per set of 8.....	20	20
Bed slats, 1 x 3" - 3' 3", per set of 8.....	15	15
Byrkit lath, 4" or 6".....	1,800	1,800
O. G. Batts, use same weights as 1/4" ceiling. (For hollow back deduct 100 lbs.).....		

Any producer of Long Leaf Yellow Pine in the State of Florida whose lumber is consistently heavier than the weights in the above table, may submit to the Lumber Branch of the Office of Price Administration, Washington, D. C., for approval a list of the estimated weights used by him during the first eight months of 1941 together with a statement that he believes them to be the nearest possible estimate to the present average actual weights. After an order has been published in the Federal Register, listing the producer's name, any seller of the producer's lumber may use the approved estimated weights in computing transportation charges.

The following producers have qualified under this provision up to the day of issuance of this revised regulation. The permitted estimated weights are on file with the Federal Register and may there be examined by any interested person:

Brooks-Seanlon Corporation, Foley, Fla.  
Dowling and Camp, Inc., Slater, Fla.  
Peavy-Wilson Lumber Co., Holopaw, Fla.

**Effective date.** The regulation shall become effective February 4, 1944, except that:

(a) If lumber has been received before February 4, 1944, by a carrier other than one owned or controlled by the seller, for shipment to a buyer, that shipment is not subject to this second revised regulation. It remains subject to the terms of the earlier regulation, Revised Maximum Price Regulation No. 19.

(b) If this regulation lowers any maximum price below that fixed in the earlier regulation, contracts that were in existence prior to the issuance of this second revised regulation at lawful prices may

be completed according to their terms with respect to deliveries made on or before March 1, 1944.

[2nd Revised MPR 19 originally issued January 29, 1944. Effective dates of amendments are shown in notes following the parts affected.]

(NOTE: The mere fact that this second revised regulation increases some maximum prices does not of itself allow any seller to apply the higher prices to existing uncompleted contracts without the consent of the buyer. The regulation permits the making of certain adjustable pricing agreements to cover such situations. Apart from that increasing prices in existing uncompleted contracts to the level of increased maximum prices in the regulation is purely a matter of agreement between buyer and seller.)

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 14th day of September 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-14311; Filed Sept. 15, 1944;  
4:34 p. m.]

PART 1347—PAPER, PAPER PRODUCTS, RAV.  
MATERIALS FOR PAPER AND PAPER PROD-  
UCTS, PRINTING AND PUBLISHING

[RPS 32, Amdt. 17]

PAPERBOARD SOLD EAST OF THE ROCKY  
MOUNTAINS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Section 1347.58a of Revised Price Schedule 32 is amended to read as follows:

§ 1347.58a *Adjustable pricing.* Any person may offer or agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery; but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration to whom the authority to grant such authorizations has been delegated. The authorization will be given by order or letter.

This amendment shall become effective September 21, 1944.

\*Copies may be obtained from the Office of Price Administration.

19 F.R. 3331, 5482, 7261, 8061, 9616.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 16th day of September 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-14336; Filed, Sept. 16, 1944;  
11:47 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[FPR 3]

GENERAL PRICING PROVISIONS FOR CERTAIN  
FEEDS AND FEED INGREDIENTS

A statement of the considerations involved in the issuance of this regulation has been issued and filed with the Division of the Federal Register.\*

FOOD PRODUCTS REGULATION 3—GENERAL PRIC-  
ING PROVISIONS FOR CERTAIN FEEDS AND FEED  
INGREDIENTS

ARTICLE I—GENERAL DEFINITIONS

Sec.	
1.1	Person.
1.2	United States.
1.3	Processor.
1.4	Store.
1.5	Retailer.
1.6	Car door seller.
1.7	Trucker-merchant.
1.8	Jobber.
1.9	Wholesaler.
1.10	Feeder.
1.11	Supplier.
1.12	Customer.
1.13	Importer.
1.14	Your supplier's maximum price on the sale to you.
1.15	Commodity.
1.16	Oil cake.
1.17	Oil meal.
1.18	Sized cake.
1.19	Pellets.
1.20	Transportation cost.
1.21	Hauling allowance.
1.22	Carload shipment.
1.23	Pool car lot.
1.24	Less-than-carload lot.
1.25	Unit of protein.
1.26	Applicable supplement.

ARTICLE II—GENERAL PROVISIONS

2.1	Export sales.
2.2	Emergency purchases.
2.3	Adjustable pricing.
2.4	Evasion.
2.5	Enforcement.
2.6	Licensing.
2.7	Documents, records and reports.
2.8	Interpretations, protests and petitions for amendment.

ARTICLE III—GENERAL PRICING PROVISIONS  
APPLICABLE TO VARIOUS SELLERS

3.1	Maximum pricing method for processors.
3.2	Maximum pricing method for trucker-merchants.
3.3	Maximum pricing method for jobbers and car door sellers.
3.4	Maximum pricing method for wholesalers and retailers.
3.5	Base prices for wholesalers and retailers.
3.6	Increases for sacks.
3.7	Charges for sacking.

AUTHORITY: Secs. 1.1 to 3.7, inclusive, (§ 1351.396) issued under 56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.



**Explanation of the regulation.** The purpose of this regulation is to gather into a single document the provisions most commonly used in fixing maximum prices for sales by all persons of certain feeds and feed ingredients.

Taken by itself, the regulation names no maximum prices. These are printed in separate documents which are issued as "supplements" to the regulation. For example, the basic maximum prices for sales of cottonseed meal are set forth in a separate supplement which contains the provisions which apply only to cottonseed products. It is only the more general provisions applicable to a number of commodities which are collected here. Compliance with maximum prices, it is expected, will be made easier by this standardization of generally applicable provisions and by including them in a single document rather than in many separate regulations.

Moreover, the provisions of this regulation apply to particular feeds and feed ingredients only as they become parts of these supplements. Thus, for example, whether or not section 1.7 (definition of "car door seller") becomes a part of a particular supplement depends upon whether section 1.7 is stated in that supplement to be a part of it. Not all of the sections of this regulation will apply to every supplement, and when particular sections are not listed in a supplement they are to be disregarded for the purposes of that supplement.

#### ARTICLE I—GENERAL DEFINITIONS

**SECTION 1.1 Person.** "Person" means an individual, corporation, partnership, association, any other organized group of persons and their legal successors or representatives. The term includes the United States, its agencies, other governments, their political subdivisions and their agencies.

**Sec. 1.2 United States.** "United States", when it refers to an area, means the 48 states and the District of Columbia.

**Sec. 1.3 Processor.** "Processor" means, with respect to any lot, the person who manufactures such lot. When any commodity is processed (or further processed) by a person who does not own it, the owner who caused it to be processed (or further processed) shall be deemed to be the processor when he sells the commodity which results.

**Sec. 1.4 Store.** "Store" means a building where a regular business of selling and delivering feeds and/or grain is carried on, and where the owner or one or more of his employees works on substantially a full-time, year-round, basis in such business or in a general retail business of which such feed and grain business is a part.

**Sec. 1.5 Retailer.** "Retailer" means a person, other than the processor, who maintains a store, and who, with respect to any lot he has purchased and

unloaded into that store, resells such lot to a feeder.

**Sec. 1.6 Car door seller.** "Car door seller" means a person, other than the processor, who meets either one of the qualifications set forth below, and who, with respect to any lot he has received as a carload shipment, resells the same to feeders in l. c. l. lots from the rail car door. To qualify as a car door seller, a person must either own or maintain a "store", as defined herein, or he must, prior to January 1, 1943, have been in the business of receiving carload shipments which he resold to feeders in l. c. l. lots from the rail car door.

**Sec. 1.7 Trucker-merchant.** "Trucker-merchant" means, with respect to any lot, a person, other than the processor, who, without having previously unloaded the lot into a warehouse or store for his own account and use, transports and delivers the lot to his customer in a truck or wagon owned or leased and operated by him.

**Sec. 1.8 Jobber.** "Jobber" means, with respect to any lot, any person, other than the processor, car door seller, or trucker-merchant, who sells such lot without having previously unloaded it into a warehouse or store.

**Sec. 1.9 Wholesaler.** "Wholesaler" means, with respect to any lot,

(a) A person, other than the processor, who, after having unloaded it into a warehouse or store, sells such lot to any one other than a feeder; or

(b) A person, other than the processor, who does not maintain a store and who, after having unloaded it into a place of business other than a store, sells such lot to a feeder.

**Sec. 1.10 Feeder.** "Feeder" means, with respect to any lot, a person who uses such lot for feeding animals or poultry.

**Sec. 1.11 Supplier.** "Supplier" means, as to any seller, the person from whom he purchased the lot being priced.

**Sec. 1.12 Customer.** "Customer" means, as to any seller, the person to whom he sells the lot being priced.

**Sec. 1.13 Importer.** "Importer" means, with respect to any lot manufactured outside the United States, the first person to whom such lot is delivered in the United States.

**Sec. 1.14 Your supplier's maximum price on the sale to you.** "Your supplier's maximum price on the sale to you" means,

(a) If you are the importer, the base price for importers set forth in the applicable supplement; or

(b) In all other cases, the maximum per ton price your supplier could have charged on the sale and delivery to you if he had given you, and fulfilled on delivery, the same protein guarantee, if any, you are giving your customer.

**Sec. 1.15 Commodity.** "Commodity" means each variety of a product which

has a different base price under the applicable supplement.

**Sec. 1.16 Oil cake.** "Oil cake" is the product remaining after the commercial extraction of oil from a nut, seed or bean.

**Sec. 1.17 Oil meal.** "Oil meal" is ground oil cake other than sized cake.

**Sec. 1.18 Sized cake.** "Sized cake" is ground oil cake which will not pass through a  $\frac{3}{8}$  inch screen. It may, however, include limited quantities of oil meal, in keeping with normal trade practices.

**Sec. 1.19 Pellets.** "Pellets" are the product which result from the processing of oil meal through a pelleting machine.

**Sec. 1.20 Transportation cost.** "Transportation cost" means:

(a) When a common carrier, contract carrier, or other carrier for hire or compensation is employed;

(1) If the shipment originates at a point in the United States, the charges (exclusive of loading charges not customarily included in such transportation charges) which are actually incurred by the seller or purchaser, as the case may be;

(2) If the shipment originates outside the United States, the charges which are actually incurred by the seller or purchaser, as the case may be, from the point of entry, not exceeding the lowest rail rate of freight applicable to the shipment for which the charges were incurred;

(b) When the seller or purchaser, as the case may be, does his own hauling, the reasonable value of the transportation service (exclusive of loading), not in excess of the maximum price he could lawfully charge for a like service if he performed it as a contract carrier;

(c) When any movement involves a combination of the types of transportation included in (a) and (b), the sum of the amounts computed separately for each portion of the movement.

**Sec. 1.21 Hauling allowance.** "Hauling allowance" means the following scale of charges:

(a) If the total haul does not exceed 100 miles.	3 cents per 100 pounds for the first 5 miles, or a fraction thereof, plus 1 cent per 100 pounds for each additional 5 miles or a fraction thereof.
(b) If the total haul exceeds 100 miles.	The lowest carload rail rate from the rail point nearest the point of origin to the rail point nearest point of destination plus 8 cents, but not more than 22 cents per 100 pounds, plus $\frac{1}{4}$ cent per 100 pounds for each 5 miles or fraction thereof over 100 miles.



The mileage to be used in connection with the above shall be the distance via the shortest route reasonably suitable for truck or wagon movement, as the case may be, between the point where the seller received delivery and the point where his customer takes delivery.

**SEC. 1.22 Carload shipment.** "Carload shipment" means any quantity which moves as a rail carload shipment under Office of Defense Transportation or tariff requirements.

**SEC. 1.23 Pool car lot.** "Pool car lot" means a lot being shipped to the purchaser as part of a rail carload shipment of commodities sold by one seller to two or more persons.

**SEC. 1.24 Less-than-carload lot.** "Less-than-carload lot" means any lot of less than 60,000 pounds, other than a carload shipment or a pool car lot. It includes any delivery by or into a truck.

**SEC. 1.25 Unit of protein.** "Unit of protein" equals one per cent of protein and "each unit of protein or fraction thereof" means the number of full units, if any, plus an additional unit for any fractional unit.

**SEC. 1.26 Applicable supplement.** "Applicable supplement" means the supplement to this regulation in which is established maximum prices for the particular sale of the particular commodity being priced.

#### ARTICLE II—GENERAL PROVISIONS

**SEC. 2.1 Export sales.** The provisions of the applicable supplement shall not apply to any export sale. The maximum price for such sales shall be determined in accordance with the provisions of Second Revised Maximum Export Price Regulation, as amended.

**SEC. 2.2 Emergency purchases.** The provisions of the applicable supplement shall have no application to any purchase by the United States or any of its agencies under such circumstances of emergency as to make immediate delivery imperative, and as to render it impossible to secure or unfair to require immediate delivery at the maximum price which would otherwise be applicable, if such purchases and deliveries are made pursuant to the provisions of section 4.3 (f) of Revised Supplementary Regulation No. 1 to the General Maximum Price Regulation as amended: *Provided, however,* That the Administrator may, by order, waive the reporting of any part of the information required by section 4.3 (f) in connection with a particular purchase or group of purchases upon determining that such information may not reasonably be required under all the circumstances, and he may, in lieu thereof, require the reporting of other information more suited to the circumstances.

**SEC. 2.3 Adjustable pricing.** Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery; but no person may, unless authorized by

the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by an order of the Administrator or of any official of the Office of Price Administration having authority to act upon the pending request for a change in price or to give the authorization.

**SEC. 2.4 Evasion.** No person shall evade the maximum prices established by an applicable supplement directly or indirectly, whether by commission, service, transportation or other charge or discount, premium or other privilege; by tying requirement or other trade understanding; by changing a previous business practice, or in any other way.

**SEC. 2.5 Enforcement.** Persons violating any provision of the applicable supplement are subject to the license revocation and suspension provisions, civil enforcement actions, suits for damages and criminal penalties as provided in the Emergency Price Control Act of 1942, as amended.

**SEC. 2.6 Licensing.** The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to the applicable supplement. A seller's license may be suspended for violation of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sales for which his license has been suspended.

**SEC. 2.7 Documents, records and reports.** Every seller, and every purchaser in the course of trade or business, shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, complete and accurate records of every sale and purchase covered by the applicable supplement.

(a) *Records and documents of sales.* (1) Every person making a sale covered by the applicable supplement, to anyone other than a feeder, shall, for each such sale, make a record thereof on an invoice or bill of sale prepared in duplicate. Every person making a sale to a feeder must prepare and keep some record of such sale, not necessarily in the form of an invoice or bill of sale. In each case, the invoice, bill of sale, or other record must state the name and address of the buyer and seller, the date of sale and delivery, the kind and grade of commodity and quantity sold, and the sale price. Every such record (except that of a person making a sale of less than 5,000 pounds to a feeder) must

also indicate the guaranteed protein content, if any, of the commodity, and the seller's maximum price. Every such record (except that of a person making a sale of less than 5,000 pounds to a feeder and that of a wholesaler for a sale of less than 10 tons) must indicate the point of production of the commodity (if the seller knows it), and the buyer's receiving point; it must also indicate separately any charges included in the maximum price for sacks or containers, for sacking, and for transportation (in excess of those charges for transportation, if any, included in the base price), and any markups included in the maximum price but not included in the base price.

(2) Every seller, other than one selling to a feeder, must keep one copy of the bill of sale or invoice for his files and give one copy to his customer. Every person making a sale to a feeder need give his customer a copy of the record he is required to keep only upon demand of the purchaser.

(b) *Records of purchases.* Every person making a purchase in the course of trade or business must keep in his files any document his supplier is required to give him under the provisions of the applicable supplement.

(c) *Submission of records.* Upon demand every such person shall submit such records and files, and any other required records or files, to the Office of Price Administration and keep such further records as the Office of Price Administration may from time to time require, subject to the approval of the Bureau of the Budget.

**SEC. 2.8 Interpretations, protests and petitions for amendment.** Any person seeking an interpretation or an amendment of, or desiring to file a protest against, any provisions of this regulation or of an applicable supplement, may do so in accordance with Revised Procedural Regulation No. 1 as amended, issued by the Office of Price Administration.

#### ARTICLE III—GENERAL PRICING PROVISIONS APPLICABLE TO VARIOUS SELLERS

**SEC. 3.1 Maximum pricing method for processors.** If you are a processor, you figure your maximum per ton price, bulk, for all sales, by adding to the appropriate base price, the applicable maximum markup, if any, and your transportation cost, if any.

**SEC. 3.2 Maximum pricing method for trucker-merchants.** (The special statement of information that is required in connection with the use of this method of pricing, must be prepared and furnished to customers in addition to the normal records and documents required by section 2.7, unless the seller includes on the special statement the additional information required to make it conform with the requirements of section 2.7.)

(a) *Pricing method.* If you are a trucker-merchant, you figure your maximum per ton price, bulk, for the sale of any commodity, by adding to "your supplier's maximum price on the sale to you",



the "hauling allowance" from the point where you received delivery from your supplier to the point at which you deliver to your customer.

(b) *Statement of information.* Every trucker-merchant shall, with respect to every lot transported by him, procure or prepare a statement setting forth the name and address of the seller and of his supplier, the date of purchase, the grade and quality of the commodity, its guaranteed protein content, if any, and the maximum price of his supplier. After the trucker-merchant delivers the lot, he must add the hauling allowance he charges his customer and sign the statement. Every trucker-merchant must give a copy of this statement of information to each customer. Both the trucker-merchant and each customer must retain such copies in their files.

(c) *Enforcement requirements.* For enforcement purposes, it is necessary that both the shipments themselves and the statements of the trucker-merchant covering such shipments be inspected while in transit. Failure of a trucker-merchant to stop for inspection in response to instructions on a sign conspicuously posted at roadsides or upon signal of an Office of Price Administration enforcement officer, shall be a violation of this supplement, subject to all penalties of the Emergency Price Control Act of 1942, as amended, and the Stabilization Act of 1942, as amended.

**Sec. 3.3 Maximum pricing method for jobbers and car door sellers.** If you are a jobber or a car door seller, you figure your maximum per ton price, bulk, for the sale of a commodity, by adding to "your supplier's maximum price on the sale to you", your transportation cost, if any, and the appropriate maximum markup.

**Sec. 3.4 Maximum pricing method for wholesalers and retailers.** If you are a wholesaler or a retailer, you figure your maximum per ton price for the sale of a commodity, by adding to your base price the appropriate maximum markup, and your transportation cost, if any, from your warehouse or store.

**Sec. 3.5 Base prices for wholesalers and retailers.** Set forth in this section are various methods that you may use in arriving at a base price for use in connection with Section 3.4 of Food Products Regulation No. 3. In each case, the paragraph indicates whether the method is for use by wholesalers, retailers, or both and also the conditions, if any, for the use of each method. Further, in connection with each method, there is an indication of the additional documents and records that may be necessary.

(a) *First method; cost of the lot.* (This method may be used both by wholesalers and retailers.)

(1) If you maintain the identity of any receipt, on the sale of such a receipt you may use as your base price for all your sales of that receipt "your supplier's maximum price on the sale to you", plus your transportation cost, if

any, to your warehouse or store. You may use this method of figuring a base price even though simultaneously you are figuring a maximum price for resale of other receipts of the same commodity by reference to any other method provided in this section.

(2) *Posting.* If you use this method, you must post your maximum price conspicuously in your warehouse or store, or at any other point from which you may be selling the commodity.

(b) *Second method; weekly selling price.* (This method may be used both by wholesalers and retailers in connection with the resale of any two or more receipts. In using it, you may not include in your calculations any receipt whose identity is maintained and for which you figure a base price under paragraph (a) above.)

(1) Under this method, you calculate a base price for each commodity for which you use this method, once each week. You select a day for calculation and recalculate on that day each week thereafter (except that when that day falls on a legal holiday, you recalculate on the next business day). Your base price is a weighted average of the maximum prices you could have paid your suppliers for your more recent purchases of a commodity. You compute that average as follows:

(i) Whenever you begin to use this method, you determine, as to your last receipt of the commodity and as to all your receipts of the commodity for the 28 days preceding such last receipt, "your supplier's maximum price on the sale to you" for each such sale and add to each maximum price your transportation cost to your warehouse or store if you incurred any on such sale to you.

(a) If all such receipts were delivered to you sacked, or if all were delivered to you bulk, you then multiply each sum of price plus transportation cost by the number of tons purchased, add the results, and divide by the total number of tons in these receipts.

(b) If your receipts of a commodity which you use in figuring a base price, were delivered to you, some bulk and some sacked, before taking an average of the maximum price plus transportation cost, you must adjust your supplier's maximum price to you so that all such prices will reflect either a sacked or a bulk price. You do this either by adding to your supplier's maximum price on a sale to you the reasonable market value at the time of sale (not exceeding the lawful maximum price) of the sacks or packages in which you will deliver the commodity to your purchaser, or by subtracting from the maximum price the amount included in such price for the sacks or packages, if you know the amount, or, if you do not, the reasonable market value of the sacks or packages at the time of the sale. You then proceed as indicated in (a) above to determine your weighted average price.

(ii) The weighted average per ton price thus determined is your base price, bulk or sacked, as the case may be, for

the first week for all your sales of the commodity (except, of course, for the sales you elect to price under paragraph (a) hereof).

(iii) Upon the next and all succeeding calculation days, you refigure your base price in the same manner, referring, however, only to your last receipt and all receipts of the commodity during the 14 day period preceding such last receipt.

(iv) In determining your base price for sales as a wholesaler, you may, when you recalculate (i. e. when establishing a price for the second week and each week thereafter), elect to use your last receipt prior to your last recalculation day, and the receipts for the 14 days preceding such receipt. Once you elect to use this alternative for recalculating under this method, you must continue to recalculate in the same way so long as you continue to use this method.

(2) If you wish to discontinue using this weekly selling price method, you may do so only, if on the next recalculation day, you take an inventory of the commodity. You may then treat the amount in inventory as a receipt on which "your supplier's maximum price on the sale to you" is the base price you would compute for the succeeding week.

(3) *Posting and records.* If you use this method, you must post your maximum price conspicuously in your warehouse, store, or other point from which you may be selling the commodity. You must, in addition to the other records required by the applicable supplement, retain a permanent record in your files of your maximum and selling prices for the week, and the basis upon which such price was determined.

**Sec. 3.6 Increases for sacks.** If you package any lot in your own sacks or packages prior to sale by you, you may add to your maximum price the reasonable market value (not to exceed the lawful maximum price) of the sacks or packages at the time of delivery of the commodity, except when your maximum price for the commodity is a sacked price determined in accordance with the provisions of section 3.5 (b) of Food Products Regulation No. 3.

**Sec. 3.7 Charges for sacking.** If you package any lot in your customer's sacks or packages, you may add to your maximum price the appropriate one of the following additions:

	Per ton
If your customer supplies new or re-cleaned sacks.....	\$0.50
If he supplies any other sack.....	1.00

This regulation shall become effective September 21, 1944.

NOTE: The record-keeping provisions of this regulation have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

Issued this 16th day of September 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-14342; Filed, Sept. 16, 1944; 11:49 a.m.]



## PART 1351—FOOD AND FOOD PRODUCTS

[FPR 3, Supp. 1]

## COTTONSEED PRODUCTS

In the judgment of the Price Administrator, it is necessary and proper to revise the maximum prices established for cottonseed products in certain respects. Accordingly this supplement supersedes Revised Maximum Price Regulation 444 insofar as that regulation establishes maximum prices for sales of cottonseed products as that term is defined herein.

Such specifications and standards as are used in this supplement were, prior to such use, in general use in the trade or industry.

A statement of the considerations involved in the issuance of this supplement, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

## SUPPLEMENT 1 TO FOOD PRODUCTS REGULATION 3—COTTONSEED PRODUCTS

## ARTICLE I—GENERAL PROVISIONS

Sec.

1. Explanation of the relation of this supplement to Food Products Regulation No. 3.
2. Applicability.
3. Sales at other than maximum prices.
4. Definitions.
5. Other provisions of general applicability.

## ARTICLE II—PRICING PROVISIONS

6. Base per ton prices for cottonseed products.
7. Maximum prices for sales by processors.
8. Maximum prices for sales by trucker-merchants.
9. Maximum prices for sales by jobbers and car door sellers.
10. Maximum prices for sales by wholesalers and retailers.
11. Maximum prices for sales by growers.
12. Maximum prices for sales by government agencies.
13. Charges for sacks and sacking.

AUTHORITY: Secs. 1 to 13, inclusive (1351.397), issued under 56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 76th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

## ARTICLE I—GENERAL PROVISIONS

SECTION 1. *Explanation of the relation of this supplement to Food Products Regulation No. 3.* Not all of the provisions affecting maximum prices for sales of cottonseed products are stated in this supplement. Those which are not specifically set forth here are stated in Food Products Regulation No. 3, and they are just as much a part of this supplement as if they were printed here.

The particular sections of Food Products Regulation No. 3 which are applicable to this supplement are listed in appropriate places in the provisions which follow. When any applicable section of the regulation is amended, the amendment is also applicable to this supplement.

SEC. 2. *Applicability.* Except for those sales exempted by paragraph (a) of this section, this supplement shall apply to all sales within the United States of "cot-

tonseed products" and to all deliveries of such products whether immediate or future.

(a) *Exempt sales.*—(1) *Export sales.* Section 2.1 of Food Products Regulation No. 3, dealing with export sales, is applicable to this supplement.

(2) *Emergency purchases.* Section 2.2 of Food Products Regulation No. 3, dealing with emergency purchases, is applicable to this supplement.

SEC. 3. *Sales at other than maximum prices.* (a) Regardless of any contract or obligation, no person shall sell or deliver, and no person shall, in the course of trade or business, buy or receive, any commodity covered by this supplement at a price above the maximum price established by this supplement, nor shall any person agree, solicit, offer or attempt to do any of the foregoing: *Provided, however,* That certain agreements to raise prices are permissible, as provided for in paragraph (1) of this paragraph.

(1) *Adjustable pricing.* Section 2.3 of Food Products Regulation No. 3, dealing with adjustable pricing, is applicable to this supplement.

(b) Prices lower than the maximum prices established by this supplement may, of course, be charged or paid.

SEC. 4. *Definitions.*—(a) *Definitions appearing in Food Products Regulation No. 3.* Definitions of the following terms set forth in the designated sections of Food Products Regulation No. 3 are applicable to all of the provisions of this supplement.

"Person": Sec. 1.1 of Food Products Regulation No. 3.

"United States": Sec. 1.2 of Food Products Regulation No. 3.

"Processor": Sec. 1.3 of Food Products Regulation No. 3.

"Store": Sec. 1.4 of Food Products Regulation No. 3.

"Retailer": Sec. 1.5 of Food Products Regulation No. 3.

"Car door seller": Sec. 1.6 of Food Products Regulation No. 3.

"Trucker-merchant": Sec. 1.7 of Food Products Regulation No. 3.

"Jobber": Sec. 1.8 of Food Products Regulation No. 3.

"Wholesaler": Sec. 1.9 of Food Products Regulation No. 3.

"Supplier": Sec. 1.11 of Food Products Regulation No. 3.

"Customer": Sec. 1.12 of Food Products Regulation No. 3.

"Importer": Sec. 1.13 of Food Products Regulation No. 3.

"Your supplier's maximum price on the sale to you": Sec. 1.14 of Food Products Regulation No. 3.

"Commodity": Sec. 1.15 of Food Products Regulation No. 3.

"Oil cake": Sec. 1.16 of Food Products Regulation No. 3.

"Oil meal": Sec. 1.17 of Food Products Regulation No. 3.

"Sized cake": Sec. 1.18 of Food Products Regulation No. 3.

"Pellets": Sec. 1.19 of Food Products Regulation No. 3.

"Transportation cost": Sec. 1.20 of Food Products Regulation No. 3.

"Hauling allowance": Sec. 1.21 of Food Products Regulation No. 3.

"Carload shipment": Sec. 1.22 of Food Products Regulation No. 3.

"Pool car lot": Sec. 1.23 of Food Products Regulation No. 3.

"Less-than-carload lot": Sec. 1.24 of Food Products Regulation No. 3.

"Unit of protein": Sec. 1.25 of Food Products Regulation No. 3.

"Applicable supplement": Sec. 1.26 of Food Products Regulation No. 3.

(b) *Additional definitions.* When used in this supplement the following terms shall have the following meaning:

"Cottonseed products" means cottonseed oil meal, oil cake (loose slab cake), sized cake, pellets; whole pressed cottonseed oil meal, oil cake (loose slab cake), sized cake, pellets; cottonseed hulls and hull bran.

"Cottonseed hulls and hull bran" mean the by-products produced by a processor in the production of cottonseed oil cake.

"Feeder" means, with respect to any lot, a person who uses such lot either for feeding animals or poultry, or as a fertilizer.

"Ginner" means a person who regularly engages in the cotton ginning business.

"Grower" means a person who grew or harvested cotton, or a landlord who received cotton as or in lieu of rent for the farm where grown.

SEC. 5. *Other provisions of general applicability.* Provisions relating to the following matters are set forth in Food Products Regulation No. 3 and the sections of that regulation listed below are applicable to and made a part of this supplement as though set forth herein in full.

(a) *Evasion:* Sec. 2.4 of Food Products Regulation No. 3.

(b) *Enforcement:* Sec. 2.5 of Food Products Regulation No. 3.

(c) *Licensing:* Sec. 2.6 of Food Products Regulation No. 3.

(d) *Documents, records and reports:* Sec. 2.7 of Food Products Regulation No. 3.

(e) *Interpretations, protests and petitions for amendment:* Sec. 2.8 of Food Products Regulation No. 3.

## ARTICLE II—PRICING PROVISIONS

SEC. 6. *Base per ton prices for cottonseed products.* Base prices for all cottonseed products are set forth below. In the case of all products, except cottonseed hulls and hull bran, these prices depend upon the giving and fulfilling of a guarantee of minimum protein content. "Standard protein content" is 41 percent for cottonseed oil meal, oil cake, sized cake and pellets, and 25 percent for whole pressed cottonseed, oil meal, oil cake, sized cake and pellets.

In the case of all products, except cottonseed hulls and hull bran, the following base prices are for sales or deliveries of 60,000 pounds or more, for carload shipments or pool carlots, and for sales and deliveries to cotton ginner. In the event you deliver a less than carload lot of any cottonseed products, other than cottonseed hulls or hull bran, to any person other than a cotton ginner, you may add \$1.00 per ton to the price listed below in arriving at your base price.

(a) *Cottonseed oil meal, oil cake, sized cake, pellets and whole pressed cottonseed oil meal, oil cake, sized cake and pellets.* (1) If at the time of sale

\*Copies may be obtained from the Office of Price Administration.



you guarantee that the lot will contain, at a minimum, the standard protein content for the commodity, and you fulfill such guarantee by delivering a lot with

at least such standard protein content, base price per ton prices are as follows:

(i) For the following points of production:

Point of production	Oil cake		Oil meal and sized cake <sup>1</sup>		Pellets <sup>1</sup>	
	Cotton-seed	Whole pressed cotton-seed	Cotton-seed	Whole pressed cotton-seed	Cotton-seed	Whole pressed cotton-seed
Mississippi.....	\$44.25	\$37.25	\$45.00	\$38.00	\$46.50	\$39.50
Tennessee.....	44.75	37.75	45.50	38.50	47.00	40.00
East Arkansas <sup>2</sup> .....	44.75	37.75	45.50	38.50	47.00	40.00
West Arkansas <sup>2</sup> .....	45.25	38.25	46.00	39.00	47.50	40.50
Missouri.....	45.25	38.25	46.00	39.00	47.50	40.50
Illinois.....	45.50	38.50	46.25	39.25	47.75	40.75
Louisiana.....	45.25	38.25	46.00	39.00	47.50	40.50
Oklahoma.....	46.25	39.25	47.00	40.00	48.50	41.50
El Paso, Tex.....	47.25	40.25	48.00	41.00	49.50	42.50
All other points in Texas.....	46.25	39.25	47.00	40.00	48.50	41.50
Alabama.....	45.25	38.25	46.00	39.00	47.50	40.50
Georgia.....	45.75	38.75	46.50	39.50	48.00	41.00
Florida.....	45.75	38.75	46.50	39.50	48.00	41.00
South Carolina.....	46.25	39.25	47.00	40.00	48.50	41.50
North Carolina.....	46.75	39.75	47.50	40.50	49.00	42.00
New Mexico.....	47.25	40.25	48.00	41.00	49.50	42.50
Arizona.....	47.25	40.25	48.00	41.00	49.50	42.50
California.....	47.25	40.25	48.00	41.00	49.50	42.50

<sup>1</sup> If oil meal, sized cake or pellets are produced by the processor from slab cake which he purchased, the base price is increased by 50 cents per ton.

<sup>2</sup> East Arkansas consists of the following counties in Arkansas: Arkansas, Clay, Craighead, Crittenden, Jackson, Lawrence, Lee, Mississippi, Monroe, Phillips, Poinsett, Randolph, St. Francis, and Woodruff.

<sup>3</sup> West Arkansas consists of all points in Arkansas not included in East Arkansas.

(ii) For cottonseed products produced at any other point in the United States, the base per ton price shall be the price named in (i) above for the point nearest to the actual point of production.

(2) If at the time of sale you guarantee that the lot will contain any specified protein content less than the standard for the commodity and you fulfill such guarantee by delivering a lot with at least the minimum protein content you guarantee, you determine the base per ton price by deducting from the appropriate price in subparagraph (1) above, 75 cents per ton for each unit of protein or fraction thereof by which the actual protein content of the lot is under the standard for the commodity.

(3) If at the time of sale you guarantee that a lot of cottonseed oil meal, oil cake, sized cake or pellets will contain at a minimum 43 per cent protein and you fulfill such guarantee by delivering a lot with at least 43 per cent protein, you determine the base per ton price by adding \$2.00 per ton to the appropriate price set forth in subparagraph (1) above for a sale and delivery of the same commodity guaranteed to be of standard protein content.

(4) If at the time of sale you guarantee any minimum protein content and you do not fulfill such guarantee on delivery, you determine your base per ton price by dividing the base price that would be applicable if the guarantee had been fulfilled by the number of units guaranteed, and multiplying that result by the number of full units in the lot, but not by more than 41.

(5) If at the time of sale you do not guarantee any protein content, you figure your base price by multiplying the actual number of full units of protein in the lot by \$1.30, if whole pressed cottonseed, or \$1.05 in all other cases, ex-

cept that in no case may your base price under this provision exceed the base price set forth in subparagraph (1) hereof for the sale and delivery of the same commodity with the standard protein content.

(b) *Cottonseed hulls and hull bran.* (1) The base price for cottonseed hulls is \$13.00 per ton.

(2) The base price for cottonseed hull bran is \$17.00 per ton, plus the transportation cost, if any, from the point of production of the cottonseed hull to the point of production of the cottonseed hull bran.

(c) *Base prices for importers.* The base per ton price for an importer depends upon the location of the point of entry of the commodity.

(1) If the point of entry is in the state of Washington or Oregon, you figure your base per ton price as follows: Determine the base price for the domestic commodity sold and delivered under the same circumstances and produced in California; add thereto the lowest carload freight rate on oil meal from San Francisco, California, to the rail point nearest your purchaser's place of business; and subtract from this total your transportation cost or your purchaser's transportation cost, as the case may be, from the point of entry to your purchaser's place of business.

(2) If point of entry is any Atlantic Coast port north of North Carolina, you determine your base per ton price as provided in (1) above substituting Tennessee for California, and Memphis, Tennessee for San Francisco.

(3) If the point of entry is located at any other point, the base per ton price is the appropriate price set out in paragraph (a) or (b) above for the domestic commodity sold and delivered under the

same circumstances and produced at the point of entry.

SEC. 7. *Maximum prices for sales by processors.* Section 3.1 of Food Products Regulation No. 3, which provides a pricing method for processors, is applicable to this supplement.

(a) *Base prices.* The base price referred to in section 3.1 is the appropriate base price found in section 6 of this supplement. (Note that if you are the importer as well as the processor of the lot, you determine your base price under section 6 (c) of this supplement.)

(b) *Maximum markup.* As a processor you are not permitted to add a maximum markup in figuring the maximum price for a sale of any lot unless, with respect to that lot, you meet either of the following conditions:

(1) You have unloaded that lot into a place of business operated by you as a separate place of business not located at the production plant where the lot was produced; or

(2) You are selling in quantities of 2,000 pounds or less.

If you comply with either of these requirements, you may add the appropriate one of the following markups (except on sales to cotton ginners):

	Cottonseed hulls or hull bran	All other cottonseed products
If you sell to a feeder from a store not located at any production plant.	\$4.00 per ton...	Per ton \$4.50
In all other cases if you sell from a separate place of business not located at the production plant:		
To feeders.....	No markup...	2.00
To anyone else.....	No markup...	1.50
If you sell to anyone from the production plant in quantities of 2,000 lbs. or less.	No markup...	2.00

SEC. 8. *Maximum prices for sales by trucker-merchants, other than growers.* Section 3.2 of Food Products Regulation No. 3, which provides a pricing method for trucker-merchants, is applicable to this supplement. If you are a trucker-merchant and not a "grower", you figure your maximum price under this Section.

(a) *Your supplier's maximum price.* Section 3.2 refers to "your supplier's maximum price on the sale to you". It is defined in section 1.14 of Food Products Regulation No. 3.

(b) *Hauling allowances.* Section 3.2 of Food Products Regulation No. 3 also refers to "hauling allowance". That term is defined in section 1.21 of Food Products Regulation No. 3.

SEC. 9. *Maximum prices for sales by jobbers and car door sellers, other than growers.* Section 3.3 of Food Products Regulation No. 3, which provides a pricing method for jobbers and car door sellers, is applicable to this supplement. If you are a jobber, or a car door seller and not a "grower", you figure your maximum price under this Section.

(a) *Your supplier's maximum price.* Section 3.3 refers to "your supplier's



maximum price on the sale to you". It is defined in section 1.14 of Food Products Regulation No. 3.

(b) *Maximum markup*—(1) *Jobbers*. If you are a jobber, the size of your markup depends upon whether you are a ginner, as defined herein. If no other jobber has already handled the same lot, you may add one of the following maximum markups:

	Cotton-seed hulls and hull bran	All other cotton-seed products
Jobbers who are also "ginners":		
For sales and deliveries of 2,000 lbs. or less.....	\$0.75	\$3.00
For carload shipments or deliveries in pool car lots.....	(1)	(1)
For deliveries of 1 c. l. lots.....	.75	1.00
Jobbers who are not also "ginners":		
For deliveries of pool car lots.....	1.00	1.00
For all other deliveries.....	.75	.75

<sup>1</sup> No markup.

(2) *Car door sellers*. If you are a car door seller, you may add a maximum markup of \$2.00 per ton for sales or deliveries of cottonseed hulls and hull bran or \$3.50 per ton for sales or deliveries of all other cottonseed products.

SEC. 10. *Maximum prices for sales by wholesalers and retailers other than growers*. Section 3.4 of Food Products Regulation No. 3 which provides a pricing method for wholesalers and retailers, and section 3.5 of Food Products Regulation No. 3 which provides base prices for wholesalers and retailers, are applicable to this supplement. If you are a retailer or a wholesaler and not a "grower", you figure your maximum price under this section.

(a) *Base prices*. Base prices referred to in section 3.4 are the base prices set out in section 3.5 of Food Products Regulation No. 3.

(b) *Maximum markups*. If you are a wholesaler, your maximum markup depends upon whether you are a "ginner", as defined herein. If you qualify as a retailer, the fact that you are also a ginner does not affect your maximum markup.

In any event, you may add the appropriate one of the following markups only if no other seller of the same class as yours has already handled the same lot.

	Cotton-seed hulls and hull bran	All other cotton-seed products
Wholesalers who are also ginners:		
For sales and deliveries of 2,000 lbs. or less.....	\$2	\$3.00
For all other sales or deliveries.....	2	1.00
Wholesalers who are not also ginners.....	2	2.50
All retailers.....	4	5.50

SEC. 11. *Maximum prices for sales by all growers*. If you are a grower, you establish your maximum price under this section even though you qualify as a trucker-merchant, jobber, car door seller, wholesaler, or retailer. Your maximum price for any lot is the maximum

price the processor of the lot could charge your customer if he were making the sale and delivery to your customer from his plant.

SEC. 12. *Maximum prices for sales by government agencies, including the Commodity Credit Corporation*. The maximum price any government agency, including the Commodity Credit Corporation, may charge is the same price the processor of the lot could charge if he were making the same sale or delivery from his plant.

SEC. 13. *Charge for sacks and sacking*. (a) Section 3.6 of Food Products Regulation No. 3, dealing with increases for sacks and packages, and section 3.7 of Food Products Regulation No. 3, dealing with charges for sacking, are applicable to this supplement.

(b) If you sack or package cottonseed hulls or hull bran, prior to sale by you, in your own sacks or packages, you may add not only the addition permitted under paragraph (a) hereof, but also \$.75 per ton.

This supplement shall become effective on the 21st day of September 1944.

NOTE: The record-keeping provisions of this regulation have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

Issued this 16th day of September 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-14341; Filed, Sept. 16, 1944;  
11:48 a. m.]

#### PART 1351—FOOD AND FOOD PRODUCTS [FPR 3, Supp 2]

BABASSU, COPRA, OURICURI, PALM KERNEL  
AND SESAME PRODUCTS

In the judgment of the Price Administrator, it is necessary and proper to revise the maximum prices established for the listed meal products in certain minor respects, and to reissue the existing regulation as a supplement to Food Products Regulation No. 3. Accordingly, this supplement supersedes Maximum Price Regulation 545 insofar as that regulation establishes maximum prices for sales of the listed meal products as that term is defined herein.

Such specifications and standards as are used in this supplement were, prior to such use, in general use in the trade or industry.

A statement of the considerations involved in the issuance of this supplement, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

FOOD PRODUCTS REGULATION NO. 3, SUPPLEMENT  
NO. 2—BABASSU, COPRA, OURICURI, PALM  
KERNEL AND SESAME PRODUCTS

#### ARTICLE I—GENERAL PROVISIONS

Sec.

1. Explanation of the relation of this supplement to Food Products Regulation No. 3.

\*Copies may be obtained from the Office of Price Administration.

Sec.

2. Applicability.

3. Sales at other than maximum prices.

4. Definitions.

5. Other provisions of general applicability.

#### ARTICLE II—PRICING PROVISIONS

6. Base per ton prices for listed meal products.

7. Maximum prices for sales by processors.

8. Maximum prices for sales by trucker-merchants.

9. Maximum prices for sales by jobbers and car door sellers.

10. Maximum prices for sales by wholesalers and retailers.

11. Charges for sacks.

AUTHORITY: Secs. 1 to 11, inclusive (\$ 1351.398), issued under 56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

#### ARTICLE I—GENERAL PROVISIONS

SECTION 1. *Explanation of the relation of this supplement to Food Products Regulation No. 3*. Not all of the provisions affecting maximum prices for sales of the listed meal products are stated in this supplement. Those which are not specifically set forth here are stated in Food Products Regulation No. 3, and they are just as much a part of this supplement as if they were printed here.

The particular sections of Food Products Regulation No. 3 which are applicable to this supplement are listed in appropriate places in the provisions which follow. When any applicable section of the regulation is amended, the amendment is also applicable to this supplement.

SEC. 2. *Applicability*. Except for those sales exempted by paragraph (a) of this section, this supplement shall apply to all sales within the United States and to all deliveries, whether immediate or future, of the following commodities:

Babassu oil meal, oil cake, sized cake and pellets;

Copra oil meal, oil cake, sized cake and pellets;

Ouricuri oil meal, oil cake, sized cake and pellets;

Palm Kernel oil meal, oil cake, sized cake and pellets;

Sesame oil meal, oil cake, sized cake and pellets.

(a) *Exempt sales*—(1) *Export sales*. Section 2.1 of Food Products Regulation No. 3, dealing with export sales, is applicable to this section.

(b) *Emergency purchases*. Section 2.1 of Food Products Regulation No. 3, dealing with emergency purchases, is applicable to this supplement.

SEC. 3. *Sales at other than maximum prices*. (a) Regardless of any contract or obligation, no person shall sell or deliver, and no person shall, in the course of trade or business, buy or receive, any commodity covered by this supplement at a price above the maximum price established by this supplement, nor shall any person agree, solicit, offer or attempt to do any of the foregoing: *Provided, however*, That certain agreements to raise prices are permissible, as provided for in paragraph (1) of this paragraph.

(1) *Adjustable pricing*. Section 2.3 of Food Products Regulation No. 3, dealing



with adjustable pricing, is applicable to this supplement.

(b) Prices lower than the maximum prices established by this supplement may, of course, be charged or paid.

SEC. 4. *Definitions*—(a) *Definitions appearing in Food Products Regulation No. 3.* Definitions of the following terms set forth in the designated sections of Food Products Regulation No. 3 are applicable to all of the provisions of this supplement:

"Person": Sec. 1.1 of Food Products Regulation No. 3.

"United States": Sec. 1.2 of Food Products Regulation No. 3.

"Processor": Sec. 1.3 of Food Products Regulation No. 3.

"Store": Sec. 1.4 of Food Products Regulation No. 3.

"Retailer": Sec. 1.5 of Food Products Regulation No. 3.

"Car door seller": Sec. 1.6 of Food Products Regulation No. 3.

"Trucker-merchant": Sec. 1.7 of Food Products Regulation No. 3.

"Jobber": Sec. 1.8 of Food Products Regulation No. 3.

"Wholesaler": Sec. 1.9 of Food Products Regulation No. 3.

"Feeder": Sec. 1.10 of Food Products Regulation No. 3.

"Supplier": Sec. 1.11 of Food Products Regulation No. 3.

"Customer": Sec. 1.12 of Food Products Regulation No. 3.

"Importer": Sec. 1.13 of Food Products Regulation No. 3.

"Your supplier's maximum price on the sale to you": Sec. 1.14 of Food Products Regulation No. 3.

"Commodity": Sec. 1.15 of Food Products Regulation No. 3.

"Oil cake": Sec. 1.16 of Food Products Regulation No. 3.

"Oil meal": Sec. 1.17 of Food Products Regulation No. 3.

"Sized cake": Sec. 1.18 of Food Products Regulation No. 3.

"Pellets": Sec. 1.19 of Food Products Regulation No. 3.

"Transportation cost": Sec. 1.20 of Food Products Regulation No. 3.

"Hauling allowance": Sec. 1.21 of Food Products Regulation No. 3.

"Carload shipment": Sec. 1.22 of Food Products Regulation No. 3.

"Pool car lot": Sec. 1.23 of Food Products Regulation No. 3.

"Less-than-carload lot": Sec. 1.24 of Food Products Regulation No. 3.

"Unit of protein": Sec. 1.25 of Food Products Regulation No. 3.

"Applicable supplement": Sec. 1.26 of Food Products Regulation No. 3.

(b) *Additional definitions.* When used in this supplement the following terms shall have the following meaning:

"Listed meal products" means babassu oil meal, oil cake, sized cake, and pellets; copra oil meal, oil cake, sized cake, and pellets; ouricuri oil meal, oil cake, sized cake, and pellets; palm kernel oil meal, oil cake, sized cake, and pellets; sesame oil meal, oil cake, sized cake, and pellets, referred to collectively.

SEC. 5. *Other provisions of general applicability.* Provisions relating to the following matters are set forth in Food Products Regulation No. 3 and the sections of that regulation listed below are applicable to and made a part of this supplement as though set forth herein in full.

(a) *Evasion:* Sec. 2.4 of Food Products Regulation No. 3.

(b) *Enforcement:* Sec. 2.5 of Food Products Regulation No. 3.

(c) *Licensing:* Sec. 2.6 of Food Products Regulation No. 3.

(d) *Documents, records and reports:* Sec. 2.7 of Food Products Regulation No. 3.

(e) *Interpretations, protests and petitions for amendment:* Sec. 2.8 of Food Products Regulation No. 3.

#### ARTICLE II—PRICING PROVISIONS

SEC. 6. *Base per ton prices for listed meal products.* Base prices for all listed meal products are set forth below. In all cases, these prices depend upon the location of the production plant and the giv-

	Protein guarantee	Base price	
		Oil cake or oil meal	Sized cake or pellets
Copra products.....	20% or more protein.....	\$45.50	\$47.00
Babassu products.....	22% or more protein.....	45.50	47.00
Ouricuri products.....	28% or more protein.....	45.50	47.00
Palm Kernel products.....	18% or more protein.....	45.50	47.00
Sesame products.....	40% or more protein.....	72.50	74.00

(2) In all other cases, you figure your base price by multiplying the actual number of full units of protein in the lot by the base price per unit shown for the commodity in the table below, except that in no case may your base price exceed the base price set forth in subparagraph (1) for the same commodity sold with a guarantee of standard protein content:

Product:	Base price per unit of protein
Copra products.....	\$2.25
Babassu products.....	2.05
Ouricuri products.....	1.60
Palm kernel products.....	2.50
Sesame products.....	1.80

(b) *Commodities produced in the United States at any point other than a point of entry.* For commodities produced in the United States at any point other than a point of entry, your base per ton price shall be the appropriate price named in paragraph (a) above for the same commodity sold and delivered under the same circumstances and produced at a point of entry, plus a freight allowance equal to the lowest per ton all rail carload freight rate in the listed meal product to the production plant from the point of entry of the raw material.

(c) *Base prices for importers.* (Commodities produced outside the United States). The base per ton price of an importer is the appropriate price set out in paragraph (a) above for the domestic commodity sold and delivered under the same circumstances and produced at a point of entry.

SEC. 7. *Maximum prices for sales by processors.* Section 3.1 of Food Products Regulation No. 3, which provides a pricing method for processors, is applicable to this supplement.

(a) *Base prices.* The base price referred to in section 3.1 is the appropriate base price found in section 6 of this supplement. (Note that if you are the importer as well as the processor of the

ing and fulfilling, or failure to give, a guarantee of minimum protein content.

The following base prices are for sales or deliveries of 60,000 pounds or more, and for carload shipments or pool car lots. In the event you deliver a less than carload lot of any listed meal product, you may add \$1.00 per ton to the prices listed below in arriving at your base price.

(a) *Commodities produced in the United States at a point of entry.* (1) If, at the time of sale, you guarantee that the lot will contain, at a minimum, the standard protein content listed below for the commodity, and you fulfill that guarantee by delivering a lot with at least such standard protein content, base per ton prices are as follows:

	Protein guarantee	Base price	
		Oil cake or oil meal	Sized cake or pellets
Copra products.....	20% or more protein.....	\$45.50	\$47.00
Babassu products.....	22% or more protein.....	45.50	47.00
Ouricuri products.....	28% or more protein.....	45.50	47.00
Palm Kernel products.....	18% or more protein.....	45.50	47.00
Sesame products.....	40% or more protein.....	72.50	74.00

lot, you determine your base price under section 6 (c) of this supplement).

(b) *Maximum markup.* As a processor you are not permitted to add a maximum markup in figuring the maximum price for the sale of any lot unless you have unloaded such lot into a warehouse or store operated by you as a separate place of business not located at the production plant, and you sell from such warehouse or store. If, as to any lot, you comply with this requirement, you may add the appropriate one of the following markups:

	Per ton
If you sell to a feeder from a store.....	\$4.50
In all other cases.....	1.50

SEC. 8. *Maximum prices for sales by trucker-merchants.* Section 3.2 of Food Products Regulation No. 3, which provides a pricing method for trucker-merchants, is applicable to this supplement.

(a) *Your supplier's maximum price.* Section 3.2 refers to "your supplier's maximum price on the sale to you". It is defined in section 1.14 of Food Products Regulation No. 3.

(b) *Hauling allowance.* Section 3.2 of Food Products Regulation No. 3 also refers to "hauling allowance". That term is defined in section 1.21 of Food Products Regulation No. 3.

SEC. 9. *Maximum prices for sales by jobbers and car door sellers.* Section 3.3 of Food Products Regulation No. 3, which provides a pricing method for jobbers and car door sellers, is applicable to this supplement.

(a) *Your supplier's maximum price.* Section 3.3 refers to "your supplier's maximum price on the sale to you." It is defined in section 1.14 of Food Products Regulation No. 3.

(b) *Maximum markup—(1) Jobbers.* If you are a jobber and no other jobber has already handled the same lot, you may add one of the following maximum markups:

	Per ton
For deliveries in pool car lots.....	\$1.00
For all other deliveries.....	.75



(2) *Car door sellers.* If you are a car door seller, you may add a maximum markup of \$3.50 per ton for sales or deliveries of all listed meal products.

SEC. 10. *Maximum prices for sales by wholesalers and retailers.* Section 3.4 of Food Products Regulation No. 3, which provides a pricing method for wholesalers and retailers, and section 3.5 of Food Products Regulation No. 3, which provides base prices for wholesalers and retailers, are applicable to this supplement.

(a) *Base prices.* Base prices referred to in section 3.4 are the base prices set out in section 3.5 of Food Products Regulation No. 3.

(b) *Maximum markups.* This regulation aims to prevent the inclusion in any maximum price of more than one markup for any class of seller. As a retailer you can always add a retailer's maximum markup, since a seller can qualify as a retailer only when he is selling a particular lot to a person who will use the lot and will not resell it. It is therefore impossible for two retailers to handle the same lot. As a wholesaler, however, you are permitted to add the maximum markup set out below in figuring the maximum price for the sale of any lot, only if no other wholesaler has already handled the lot. On this condition the following maximum markups may be added:

	Per ton
Wholesaler.....	\$2.50
Retailer.....	5.50

SEC. 11. *Charges for sacks.* Section 3.6 of Food Products Regulation No. 3, dealing with increases for sacks, is applicable to this supplement.

This supplement shall become effective on the 21st day of September 1944.

NOTE: The record keeping provisions of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 16th day of September 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-14344; Filed, Sept. 16, 1944;  
11:49 a. m.]

#### PART 1351—FOOD AND FOOD PRODUCTS [RMPR 444, Revocation]

COTTONSEED OIL MEAL, CAKE, SIZED CAKE AND PELLETS; COTTONSEED HULLS AND HULL BRAN; AND WHOLE PRESSED COTTONSEED

A statement of the considerations involved in the issuance of this order, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Revised Maximum Price Regulation 444 is revoked, subject to the provisions of Supplementary Order No. 40.<sup>1</sup>

\*Copies may be obtained from the Office of Price Administration.  
<sup>1</sup> 9 F.R. 7521.

This order shall become effective September 21, 1944.

Issued this 16th day of September 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-14346; Filed, Sept. 16, 1944;  
11:51 a. m.]

#### PART 1351—FOOD AND FOOD PRODUCTS [MPR 545, Revocation]

BABASSU, COPRA, OURICURI, PALM KERNEL AND SESAME PRODUCTS

A statement of the considerations involved in the issuance of this order, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Maximum Price Regulation 545 is revoked, subject to the provisions of Supplementary Order 40.<sup>1</sup>

This order shall become effective September 21, 1944.

Issued this 16th day of September 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-14345; Filed, Sept. 16, 1944;  
11:50 a. m.]

#### PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 5C,<sup>2</sup> Amdt. 148]

##### MILEAGE RATIONING GASOLINE REGULATIONS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Ration Order 5C is amended in the following respects:

1. Section 1394.7904 (b) is amended to read as follows:

(b) *Allowance of a non-highway ration for use with a boat for a non-occupational purpose.* If application is made for a non-highway ration for use with an inboard motorboat or outboard motor operated wholly or in part for a non-occupational purpose, the Board shall allow for the non-occupational purpose an amount of gasoline for any three-month period determined by the following formulae:

(1) For an inboard motorboat, a number of gallons not in excess of two times the manufacturer's rated horsepower of the motor or motors and not in excess of the following:

(i) One hundred and twenty-five (125) gallons, for a purpose listed in subparagraph (3);

(ii) Twenty-four (24) gallons, for any other non-occupational purpose.

(2) For an outboard motor, the number of gallons not in excess of two and one-half times the manufacturer's rated horsepower of such motor and not in excess of the following:

<sup>1</sup> 9 F.R. 1121, 4098.

<sup>2</sup> 8 F.R. 15937.

(i) Twenty (20) gallons, for a purpose listed in subparagraph (3);

(ii) Ten (10) gallons, for any other non-occupational purpose.

(3) The purposes referred to in subparagraphs (1) (i) and (2) (i) are as follows:

(i) For conducting or chartering fishing parties;

(ii) For a boat enrolled on a member of the Coast Guard auxiliary. The application must be accompanied by the certification of an authorized Coast Guard officer that the boat is so enrolled and has been accepted by the Coast Guard for emergency duty.

(4) In the case of an inboard motorboat or outboard motor used in connection with farming, the gallonage determined by the formulae in subparagraphs (1) and (2) of this paragraph shall be multiplied by two and the non-highway ration so determined shall be issued for a six-month period.

(5) For purposes of this paragraph, non-occupational uses shall include (without limitation) use of a motorboat or outboard motor for travel between a temporary or seasonal home or lodging and a fixed place of work, sightseeing, guiding pleasure parties or conducting or chartering boats for fishing parties other than commercial fishing and the transportation of passengers who are traveling for these or other non-occupational purposes.

(6) The Board shall issue Class E or R coupons bearing serial numbers in consecutive order and accompanied by a separate folder in sufficient number to provide the quantity of gasoline allowed. The Board shall note on such folder, in addition to the usual information required, that the coupons are issued for a non-occupational purpose.

This amendment shall become effective October 1, 1944.

(Pub. Laws 671, 76th Cong.; as amended by Pub. Laws 89, 421 and 507, 77th Cong.; W.P.B. Dir. No. 1, Supp. Dir. No. 1Q, 7 F.R. 562, 9121 E.O. 9125, 7 F.R. 2719)

NOTE: The reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 16th day of September 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-14343; Filed, Sept. 16, 1944;  
11:49 a. m.]

#### PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 5C,<sup>1</sup> Amdt. 149]

##### MILEAGE RATIONING: GASOLINE REGULATIONS

A rationale accompanying this amendment issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

<sup>1</sup> 8 F.R. 15937.



Ration Order 5C is amended in the following respects:

In § 1394.8004 (e) (2) the parenthetical phrase is amended to read as follows: "(or the name and address of the ration holder in the case of commercial motor vehicles not bearing fleet designations)"

This amendment shall become effective October 1, 1944.

(Pub. Laws 671, 76th Cong.; as amended by Pub. Laws 89, 421, 507, 77th Cong.; W.P.B. Dir. No. 1, Supp. Dir. No. 1Q, 7 F.R. 562, 9121, E.O. 9125, 7 F.R. 2719)

Issued this 16th day of September 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-14347; Filed, Sept. 16, 1944; 11:51 a. m.]

#### PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 13, Amdt. 32 to 2d Rev. Supp. 1]

##### PROCESSED FOODS

Section 1407.1102 (a) is amended to read as follows:

(a) Processed foods shall have the point values set forth in the Official Table of Point Values (No. 20) (OPA Form R-1313) which is made a part hereof.

This amendment shall become effective at 12:01 a. m., September 17, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong., E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; WFO No. 56, 8 F.R. 2005, 9 F.R. 4319, and WFO No. 58, 8 F.R. 2251, 9 F.R. 4319)

Issued this 16th day of September 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-14340; Filed, Sept. 16, 1944; 11:47 a. m.]

#### PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 16, Amdt. 15 to 2d Rev. Supp. 1]

##### MEAT, FATS, FISH AND CHEESES

Section 1407.3027 (a) is amended to read as follows:

(a) Foods covered by Revised Ration Order 16 shall have the point values set forth in the Official Tables of Consumer and Trade Point Values (OPA Form R-1313) No. 20, and in the Official Table of Consumer Point Values for Kosher Meats (OPA Form R-1611) No. 19, which are made a part hereof.

This amendment shall become effective at 12:01 a. m. September 17, 1944.

<sup>1</sup> 9 F.R. 173, 908, 1181, 2091, 2290, 2553, 2830, 2947, 3580, 3707, 4542, 4605, 4607, 4883, 5956, 6103, 6151, 6450, 7344, 7432, 7433, 9169, 9170, 9266, 9278, 9898, 10264, 10877, 10876.

<sup>2</sup> 9 F.R. 6772, 6825, 7262, 7438, 8147, 8931, 9266, 9278, 9785, 9896, 10423, 10497, 10875, 10876, 10777.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; and Supp. Dir. 1-M, 7 F.R. 8234; WFO No. 56, 8 F.R. 2005, 9 F.R. 4319; WFO No. 58, 8 F.R. 2251, 9 F.R. 4319; WFO No. 59, 8 F.R. 3471, 9 F.R. 4319; WFO No. 61, 8 F.R. 3471, 9 F.R. 4319, and Supp. 1 to WFO No. 61, 9 F.R. 9134, 9389)

Issued this 16th day of September 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-14339; Filed, Sept. 16, 1944; 11:47 a. m.]

#### PART 1436—PLASTIC AND SYNTHETIC RESINS

[MPR 406, Amdt. 4]

##### SYNTHETIC RESINS AND PLASTIC MATERIALS AND SUBSTITUTE RUBBER

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Maximum Price Regulation No. 406 is amended in the following respects:

1. The table of contents is amended in the following respects:

A new listing is added between the listings of sections 16 and 17 to read as follows:

16a. Licensing.

New listings are added between the listings of section 18 and Appendix A to read as follows:

19. Adjustable pricing.

ARTICLE IV—MANUFACTURERS' AND RESELLERS' MAXIMUM PRICES FOR SPECIFIED SYNTHETIC RESINS, PLASTIC MATERIALS, AND SUBSTITUTE RUBBER

20. Ester gum containing gum rosin.

2. A new paragraph is added between the second and third paragraphs of section 1 to read as follows:

No person shall sell or deliver any synthetic resin or plastic material or substitute rubber for which maximum prices are established under Article IV of this regulation at a price higher than the maximum price so established;

3. Section 19 and Article IV, including section 20, are added following section 18 to read as follows:

SEC. 19. *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery; but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given when a request for

\*Copies may be obtained from the Office of Price Administration.

<sup>1</sup> 8 F.R. 8372, 10825, 12879, 9 F.R. 6885.

a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration to whom the authority to grant such authorization has been delegated. The authorization will be given by order.

ARTICLE IV—MANUFACTURERS' AND RESELLERS' MAXIMUM PRICES FOR SPECIFIED SYNTHETIC RESINS, PLASTIC MATERIALS, AND SUBSTITUTE RUBBER

SEC. 20. *Ester gum containing gum rosin—*(a) *Rosin content consisting wholly of gum rosin.* The maximum price for sales by any person of ester gum the rosin content of which consists wholly of gum rosin shall be the maximum price established under any other provision of this regulation (or under the General Maximum Price Regulation, in the case of resellers) or \$0.1125 per pound delivered at buyer's place of business, whichever is higher. All differentials, discounts, allowances and trade practices in effect on sales of such ester gum during March 1942 shall apply to the base price of \$0.1125 set forth above.

(b) *Rosin content consisting of gum rosin and wood rosin.* The maximum price for sales by any person of ester gum the rosin content of which consists both of gum rosin and of wood rosin shall be the higher of the following: (1) The maximum price established under any other provision of this regulation (or under the General Maximum Price Regulation, in the case of resellers) or (2) A price per pound delivered at buyer's place of business equal to the weighted average of \$0.1125 and \$0.095, weighted according to the percentages by weight of gum rosin and wood rosin contained in the total rosin content. All differentials, discounts, allowances and trade practices in effect on sales of such ester gum during March 1942 shall apply to the base weighted average price set forth above.

(c) *Ester gum containing gum rosin in solution or in physical mixtures with other materials (other than chemical reaction).* The maximum price for sales by any person of ester gum containing gum rosin in solution or in physical mixtures with other materials (other than chemical reaction) shall be the higher of the following: (1) The maximum price established under any other provision of this regulation (or under the General Maximum Price Regulation, in the case of resellers) or (2) A price per pound delivered at buyer's place of business equal to the sum of the delivered maximum prices of the ingredients contained in a pound of the solution or physical mixture. All differentials, discounts, allowances and trade practices in effect on sales of such solution or physical mixture during March 1942 shall apply to the base price equal



to the sum of the ingredient costs set forth above.

This amendment shall become effective September 21, 1944.

Issued this 16th day of September 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-14337; Filed, Sept. 16, 1944;  
11:48 a. m.]

#### PART 1429—POULTRY AND EGGS

[RMPR 333]

##### EGGS AND EGG PRODUCTS

Maximum Price Regulation 333 is redesignated Revised Maximum Price Regulation 333 and is revised and amended to read as follows. A statement of the considerations involved in the issuance of this Revised Maximum Price Regulation 333 has been issued and filed with the Division of the Federal Register.\*

Insofar as this revised regulation uses specifications and standards which were not, prior to such use, in general use in the trade or industry affected, or insofar as their use was not lawfully required by another government agency, the Price Administrator has determined with respect to such standardization that no practical alternative exists for securing effective price control with respect to the commodities subject to this revised regulation.

#### REVISED MAXIMUM PRICE REGULATION 333— EGGS AND EGG PRODUCTS

##### Explanation of the Regulation

##### ARTICLE I—MAXIMUM PRICES FOR EGGS

###### Sec.

- 1.1 What this regulation does; eggs.
- 1.2 What eggs are excluded.
- 1.3 Standards, specifications, and grades.
- 1.4 Kinds of buyers.
- 1.5 Pricing provisions.
- 1.6 F. o. b. sales.
- 1.7 Sales by War Shipping Administration and by licensed ship suppliers.
- 1.8 Eggs treated for preservation.
- 1.9 Egg cases and cartons.
- 1.10 Calculations.
- 1.11 Maximum delivered prices for large eggs and current receipts; certain consumer grades sold to independent retailers, etc.; certain wholesale grades sold to first receivers; and procurement grades sold to U. S. Government agencies.
- 1.12 Additions to and deductions from Table A prices for all other grades and all other sizes of eggs.
- 1.13 Maximum prices on delivered sales for transactions not covered by Tables A and A-1.

##### ARTICLE II—EGG PRODUCTS

- 2.1 What this regulation does; egg products.
- 2.2 Standards.
- 2.3 Maximum delivered prices for frozen egg products; more than 30,000 pounds.
- 2.4 Maximum delivered prices for liquid egg products; more than 30,000 pounds.
- 2.5 Variations in percentage of solids; frozen or liquid yolk products.

\*Copies may be obtained from the Office of Price Administration.

###### Sec.

- 2.6 Maximum prices for frozen and liquid egg products; 30,000 pounds or less.
- 2.7 Maximum prices for sales and deliveries of dried egg products; more than 3,000 pounds.
- 2.8 Maximum prices for sales and deliveries of dried egg products; 3,000 pounds or less.
- 2.9 Dried egg products; permitted increases for high percentage in solids and high palatability score.
- 2.10 Dried egg products; experimental specifications of the Army Quartermaster Corps.
- 2.11 Blends or emulsions.
- 2.12 Containers.

##### ARTICLE III—GENERAL

- 3.1 Maximum prices continue from year to year.
- 3.2 Definitions.
- 3.3 Adjustment of maximum prices for eggs and egg products.
- 3.4 Emergency purchases by a United States Government agency.
- 3.5 Licensing.
- 3.6 Prohibition against selling or buying at higher than maximum prices.
- 3.7 Geographical applicability.
- 3.8 Calculations.
- 3.9 Records.
- 3.10 Export sales.
- 3.11 Adjustable pricing.
- 3.12 Taxes.
- 3.13 Transfers of business or stock in trade.
- 3.14 Evasion.
- 3.15 Enforcement.
- 3.16 Petitions for amendment.
- 3.17 Applicability of certain provisions of supplementary regulations and orders.
- 3.18 Zones.

AUTHORITY: Secs. 1.1 to 3.18, inclusive (§ 1429.21) issued under 56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

##### EXPLANATION OF THE REGULATION

This regulation establishes weekly zone prices for all grades of eggs when sold to all classes of buyers except household consumers who buy from a retail store. The zones are set out in section 3.18.

The delivered prices for each zone, for grades in the most common use, sold to certain types of buyers, are given in the base Table A.

Prices for other grades are calculated according to instructions in Table A-1, by referring to the base Table A.

Prices for sales by certain types of sellers to certain types of buyers are calculated according to Table A-2, by referring to the base Table A and to Table A-1.

In reading the tables, careful attention must be paid to the footnotes which qualify the prices in certain respects or set additional prices.

All eggs sold as being of a certain grade must conform to the requirements for that grade as set out in United States Department of Agriculture Tentative U. S. Standards for the particular grade, and must meet additional standards set out in this regulation. The grades must be standardized according to the United States Department of Agriculture "Specifications for Official U. S. Standards for Individual Shell Eggs."

The terms used in this regulation are, generally, those in common usage under-

stood by the trade. However, section 3.2 defines some words that are used with special meanings.

Prices for egg products are set out in Article II of the regulation. Generally speaking, these products are priced in the same way as they were in Maximum Price Regulation 333.

##### ARTICLE I—MAXIMUM PRICES FOR EGGS

SECTION 1.1 *What this regulation does; eggs.* This Article I establishes maximum wholesale prices for delivered and f. o. b. sales of eggs of the domestic or barnyard hen. This section 1 sets out particularly what eggs are excluded, what standards must be met, and what kinds of buyers are covered by this regulation.

SEC. 1.2 *What eggs are excluded.* The following sales of eggs are exempt from the provisions of this regulation.

(a) *Hatching eggs.* All sales of eggs bought for the sole purpose of hatching are exempt from this regulation. If, however, after partial incubation such eggs are found to be unsuitable for hatching purposes, they may be sold for industrial use under Maximum Price Regulation No. 280.

(b) *Inedible eggs.* Eggs that are unfit for human consumption and are sold for industrial use are exempt from this regulation. They may be sold under the provisions of Maximum Price Regulation No. 280.

(c) *Eggs of other poultry.* The only eggs covered by this regulation are eggs of the domestic or barnyard hen. Eggs of other poultry are exempt.

(d) *Eggs sold at retail.* Eggs sold at retail under the provisions of Maximum Price Regulations Nos. 422 and 423 are exempt from this regulation.

SEC. 1.3 *Standards, specifications and grades.* (a) All eggs covered by this regulation shall be sold in one of the grades named herein. For the purpose of this regulation the terms "grades" and "wholesale grades" include ungraded, and current receipts.

(b) Eggs that are sold at the price named for a particular grade must meet the standards for that grade as set out in the Department of Agriculture's publications listed in paragraph (c) immediately following, in addition to other standards established by this regulation.

(c) *Grade standards.* Consumer grades must meet the standards set out in "Tentative U. S. Standards and Weight Classes for Consumer Grades for Shell Eggs".

Wholesale grades, except ungraded or current receipts, must meet the standards set out in "Tentative U. S. Standards and Weights for Wholesale Grades of Shell Eggs." The terms "ungraded" and "current receipts" means eggs the grade, size, and weight of which have not yet been determined.

Procurement grades must meet the standards set out in "Tentative U. S. Standards for Procurement Grades of Shell Eggs."

All grades except ungraded or current receipts must meet the standards set out



in "Specifications for Official U. S. Standards for Quality of Individual Shell Eggs".

(d) The standards and specifications of the United States Department of Agriculture named in the above paragraph (c) are published and in effect on September 25, 1944 and are to be controlling during the effective life of this regulation. Any modifications or repeal thereof by the Department of Agriculture shall not modify or repeal the effectiveness of such standards and specifications for the purposes of this regulation.

(e) In addition to the standards set out in paragraph (c) above, all eggs except procurement grades and ungraded or current receipts must meet weight requirements as follows:

CONSUMER GRADES			
Size	Minimum net weight per dozen	Minimum net weight per 30 dozen	Minimum weight for individual eggs at rate per dozen
	Ounces	Pounds	Ounces
Extra large.....	26	48.5	25
Large.....	24	45	23
Medium.....	21	40	20
Small.....	No average or minimum weight requirements		

WHOLESALE GRADES				
Size	(1) Average net weight for the lot	(2) Minimum net weight per case	(3) Individual egg minimum weight for 90 percent of lot	(4) Minimum weight for individual eggs
	Lbs. per 30 doz.	Lbs. per 30 doz.	Oz. per doz.	Oz. per doz.
Extra large.....	49	48	25	24
Large.....	45	44	23	21
Medium.....	40	39	20	18
Small.....	No average or minimum weight requirements			

These weight specifications apply to all wholesale grades except U. S. Dirties and U. S. Checks for which there are no weight requirements.

(f) "Light dirty" eggs must meet the special requirements set out in section 3.3 and may be sold at the price named for them in Table A-1 only upon compliance with all of the conditions of section 3.3.

(g) The prices named in this regulation are for eggs that meet the standards of the grade at the time of delivery to the buyer. Failure to meet such standards is a violation of this regulation.

SEC. 1.4 *Kinds of buyers.* This regulation establishes maximum prices for sales to each kind of buyer except a household consumer who buys from a retail store that is covered by Maximum Price Regulation 422 and 423. The kinds of buyers are described in terms that are in general usage in the trade but in some instances they are particularly defined in section 3.2. No sale shall be made at a price higher than the maximum price set out in this regulation for the type of buyer to whom the sale is made.

SEC. 1.5 *Pricing provisions.* The maximum prices in this section are established with reference to the following:

(a) *Grades and sizes of eggs—(b) Place of delivery.* Except as otherwise set out in the paragraphs preceding the tables, the prices are delivered prices at any place within one of the zones. The geographic locations of the zones are set out in section 3.18.

(c) *Date of delivery.* The price to be used is the price given in the table for the week in which the eggs are delivered to the buyer, as set out in Table A. The weeks start with the first Thursday in January and are numbered consecutively thereafter.

(d) *Kinds of buyers and sellers.* The prices differ on sales to different kinds of buyers by different kinds of sellers, as set out in Table A-2.

(e) *Other conditions.* Other qualifying conditions, and additions to or deductions from maximum prices, are set out in the following paragraphs.

SEC. 1.6 *F. O. B. sales.* F. o. b. sales may be made only under the conditions set out in the two following paragraphs:

(a) *Within 200 miles.* If the buyer's customary receiving point is located within 200 miles of the place of business from which the seller makes the sale, eggs intended for local consumption within such 200-mile area may be sold f. o. b. the seller's place of business and the maximum price is the price for the zone in which the eggs are sold, less ten cents per case (30 dozen). If such f. o. b. sale is made to a large retailer, the ten cents shall be deducted from the price for delivery to such large retailer's warehouse and not from the price for delivery to the retailer's individual store.

(b) *Sales to a United States Government agency.* On sales to a United States Government agency the eggs may be sold f. o. b. the seller's shipping point and the maximum price is the price for the zone in which the eggs are sold.

SEC. 1.7 *Sales by War Shipping Administration and by licensed ship suppliers.* For purposes of this regulation, sales by War Shipping Administration to ship suppliers licensed by War Food Administration and sales by such ship suppliers to operators of ships under the jurisdiction of War Shipping Administration are included as sales to a U. S. Government agency.

SEC. 1.8 *Eggs treated for preservation—(a) Sales to a United States Government agency.* When eggs of wholesale grades Specials or Extras, procurement grades I, II, or III or consumer grades A or AA have been treated for purposes of preservation by being completely coated with mineral oil, and are sold to a United States Government agency, one cent per dozen may be added to the maximum prices.

(b) *Sales to other buyers.* During the months of March, April, May, June, July, and August, only, one cent per dozen may be added on sales (to buyers other than

United States Government agencies) of wholesale grades Specials or Extras that have been treated for purposes of preservation by being completely coated with mineral oil.

(c) No additions to maximum prices on account of oil treatment are permitted except as specifically set out in these paragraphs (a) and (b).

SEC. 1.9 *Egg cases and cartons—(a) Retail egg cartons.* When consumer grades of eggs are packed in retail cartons supplied by the seller, two cents may be added to the maximum price for each packed carton of one dozen eggs, and one cent may be added to the maximum price for each packed carton of one-half dozen eggs. This allowance is not to be added until the complete calculation of the delivered price has been made.

(b) *Egg cases.* Except as provided in paragraph (a) above, no additions to maximum prices are permitted for egg cases or cartons. If a complete and suitable case or other container is not furnished by the seller, or is returned by the buyer to the seller, or to another person, at the seller's request, deductions shall be made from the maximum prices for each 30 dozen eggs as follows:

Case or separate part	If eggs were delivered to buyer—	
	East of Mississippi	West of Mississippi
	Cents	Cents
Cases complete with flats, fillers and covers (each).....	19	22
Shells (each).....	10	13
Flats (per 12).....	4	4
Fillers (per 10).....	4	4
Covers (each).....	1	1

"East of the Mississippi" means the area located east of the Mississippi River, including the entire state of Wisconsin. "West of the Mississippi" means the area located west of the Mississippi River, including the entire states of Minnesota and Louisiana.

SEC. 1.10 *Calculations.* Fractions or decimals of a cent remaining after the total price for the quantity sold has been calculated shall be dropped if less than 1/2 cent and increased to the next higher cent if 1/2 cent or more.

SEC. 1.11 *Maximum delivered prices for large eggs and current receipts; certain consumer grades sold to independent retailers etc.; certain wholesale grades sold to first receivers; and procurement grades sold to U. S. Government agencies.* This section establishes maximum prices for delivered sales, of current receipts to a first receiver; and for the following grades of large eggs sold and delivered to the type of buyer named:

(a) Consumer grades A, B, and C, sold to an independent retailer, an independent retail route seller, a large retailer at his individual store, or an institutional user; (These four types of buyers are included within the term "independent retailers" in the headings to Table A.)



(b) Wholesale grades Extras 1 and 2, and Standards 1 and 2, sold to a first receiver; and

(c) Procurement grades I, II, and III, sold to a U. S. Government agency.

These prices are for each week of the

year (starting with the first Thursday in January), for each zone in the country.

These maximum delivered prices are set out in Table A below. Additions to or deductions from these prices for other grades and sizes of eggs, sold by certain

types of sellers to certain types of buyers, are set out in Tables A-1 and A-2 which follow Table A.

Procurement grades may be sold only to U. S. Government agencies.

TABLE A—MAXIMUM PRICES BEGINNING SEPTEMBER 21, 1944, THROUGH OCTOBER 18, 1944

Weeks beginning—	Consumer grades sold to inde- pendent retailers			Wholesale grades sold to first receivers			Procurement grades sold to government agencies			Weeks beginning—	Consumer grades sold to inde- pendent retailers			Wholesale grades sold to first receivers			Procurement grades sold to government agencies		
	A	B	C	Extras 1 and 2	Standards 1 and 2	Current receipts	I	II	III		A	B	C	Extras 1 and 2	Standards 1 and 2	Current receipts	I	II	III
Zone 1										Zone 16									
Sept. 21.....	53.1	45.4	40.4	46.2	39.9	39.4	53.1	51.8	50.2	Sept. 21.....	57.6	48.4	43.4	50.0	42.9	42.4	57.0	55.5	53.9
Sept. 28.....	53.1	46.4	41.4	46.2	40.4	40.4	53.1	51.8	50.2	Sept. 28.....	57.6	49.4	44.4	50.0	43.4	43.4	57.0	55.5	53.9
Oct. 5, 12.....	53.1	47.4	41.4	46.2	41.4	41.4	53.1	51.8	50.2	Oct. 5, 12.....	57.6	50.4	44.4	50.0	44.4	44.4	57.0	55.5	53.9
Zone 2										Zones 17, 17A, 17B, 17C <sup>1</sup>									
Sept. 21.....	53.4	45.6	40.6	46.5	40.1	39.6	53.4	52.0	50.4	Sept. 21.....	57.9	48.6	43.6	50.2	43.1	42.6	57.2	55.8	54.2
Sept. 28.....	53.4	46.6	41.6	46.5	40.6	40.6	53.4	52.0	50.4	Sept. 28.....	57.9	49.6	44.6	50.2	43.6	43.6	57.2	55.8	54.2
Oct. 5, 12.....	53.4	47.6	41.6	46.5	41.6	41.6	53.4	52.0	50.4	Oct. 5, 12.....	57.9	50.6	44.6	50.2	44.6	44.6	57.2	55.8	54.2
Zone 3										Zone 18									
Sept. 21.....	53.7	45.8	40.8	46.8	40.3	39.8	53.7	52.2	50.6	Sept. 21.....	57.0	48.0	43.0	49.5	42.5	42.0	56.5	55.0	53.4
Sept. 28.....	53.7	46.8	41.8	46.8	40.8	40.8	53.7	52.2	50.6	Sept. 28.....	57.0	49.0	44.0	49.5	43.0	43.0	56.5	55.0	53.4
Oct. 5, 12.....	53.7	47.8	41.8	46.8	41.8	41.8	53.7	52.2	50.6	Oct. 5, 12.....	57.0	50.0	44.0	49.5	44.0	44.0	56.5	55.0	53.4
Zone 4										Zone 19									
Sept. 21.....	54.0	46.0	41.0	47.0	40.5	40.0	54.0	52.5	50.9	Sept. 21.....	56.7	47.8	42.8	49.3	42.3	41.8	56.2	54.8	53.2
Sept. 28.....	54.0	47.0	42.0	47.0	41.0	41.0	54.0	52.5	50.9	Sept. 28.....	56.7	48.8	43.8	49.3	42.8	42.8	56.2	54.8	53.2
Oct. 5, 12.....	54.0	48.0	42.0	47.0	42.0	42.0	54.0	52.5	50.9	Oct. 5, 12.....	56.7	49.8	43.8	49.3	43.8	43.8	56.2	54.8	53.2
Zone 5										Zone 20									
Sept. 21.....	54.3	46.2	41.2	47.2	40.7	40.2	54.2	52.8	51.2	Sept. 21.....	56.4	47.6	42.6	49.0	42.1	41.6	56.0	54.5	52.9
Sept. 28.....	54.3	47.2	42.2	47.2	41.2	41.2	54.2	52.8	51.2	Sept. 28.....	56.4	48.6	43.6	49.0	42.6	42.6	56.0	54.5	52.9
Oct. 5, 12.....	54.3	48.2	42.2	47.2	42.2	42.2	54.2	52.8	51.2	Oct. 5, 12.....	56.4	49.6	43.6	49.0	43.6	43.6	56.0	54.5	52.9
Zone 6										Zone 21									
Sept. 21.....	54.6	46.4	41.4	47.5	40.9	40.4	54.5	53.0	51.4	Sept. 21.....	56.1	47.4	42.4	48.8	41.9	41.4	55.8	54.2	52.6
Sept. 28.....	54.6	47.4	42.4	47.5	41.4	41.4	54.5	53.0	51.4	Sept. 28.....	56.1	48.4	43.4	48.8	42.4	42.4	55.8	54.2	52.6
Oct. 5, 12.....	54.6	48.4	42.4	47.5	42.4	42.4	54.5	53.0	51.4	Oct. 5, 12.....	56.1	49.4	43.4	48.8	43.4	43.4	55.8	54.2	52.6
Zone 7										Zone 22									
Sept. 21.....	54.9	46.6	41.6	47.8	41.1	40.6	54.8	53.2	51.6	Sept. 21.....	56.1	47.4	42.4	48.8	41.9	41.4	55.8	54.2	52.6
Sept. 28.....	54.9	47.6	42.6	47.8	41.6	41.6	54.8	53.2	51.6	Sept. 28.....	56.1	48.4	43.4	48.8	42.4	42.4	55.8	54.2	52.6
Oct. 5, 12.....	54.9	48.6	42.6	47.8	42.6	42.6	54.8	53.2	51.6	Oct. 5, 12.....	56.1	49.4	43.4	48.8	43.4	43.4	55.8	54.2	52.6
Zone 8										Zone 23									
Sept. 21.....	55.2	46.8	41.8	48.0	41.8	40.8	55.0	53.5	51.9	Sept. 21.....	56.1	47.4	42.4	48.8	41.9	41.4	55.8	54.2	52.6
Sept. 28.....	55.2	47.8	42.8	48.0	41.8	41.8	55.0	53.5	51.9	Sept. 28.....	56.1	48.4	43.4	48.8	42.4	42.4	55.8	54.2	52.6
Oct. 5, 12.....	55.2	48.8	42.8	48.0	42.8	42.8	55.0	53.5	51.9	Oct. 5, 12.....	56.1	49.4	43.4	48.8	43.4	43.4	55.8	54.2	52.6
Zone 9										Zone 24									
Sept. 21.....	55.5	47.0	42.0	48.2	41.5	41.0	55.2	53.8	52.2	Sept. 21.....	55.8	47.2	42.2	48.5	41.7	41.2	55.5	54.0	52.4
Sept. 28.....	55.5	48.0	43.0	48.2	42.0	42.0	55.2	53.8	52.2	Sept. 28.....	55.8	48.2	43.2	48.5	42.2	42.2	55.5	54.0	52.4
Oct. 5, 12.....	55.5	49.0	43.0	48.2	43.0	43.0	55.2	53.8	52.2	Oct. 5, 12.....	55.8	49.2	43.2	48.5	43.2	43.2	55.5	54.0	52.4
Zone 10										Zone 25									
Sept. 21.....	55.8	47.2	42.2	48.5	41.7	41.2	55.5	54.0	52.4	Sept. 21.....	55.5	47.0	42.0	48.2	41.5	41.0	55.2	53.8	52.2
Sept. 28.....	55.8	48.2	43.2	48.5	42.2	42.2	55.5	54.0	52.4	Sept. 28.....	55.5	48.0	43.0	48.2	42.0	42.0	55.2	53.8	52.2
Oct. 5, 12.....	55.8	49.2	43.2	48.5	43.2	43.2	55.5	54.0	52.4	Oct. 5, 12.....	55.5	49.0	43.0	48.2	43.0	43.0	55.2	53.8	52.2
Zone 11										Zone 26									
Sept. 21.....	56.1	47.4	42.4	48.8	41.9	41.4	55.8	54.2	52.6	Sept. 21.....	55.8	47.2	42.2	48.5	41.7	41.2	55.5	54.0	52.4
Sept. 28.....	56.1	48.4	43.4	48.8	42.4	42.4	55.8	54.2	52.6	Sept. 28.....	55.8	48.2	43.2	48.5	42.2	42.2	55.5	54.0	52.4
Oct. 5, 12.....	56.1	49.4	43.4	48.8	43.4	43.4	55.8	54.2	52.6	Oct. 5, 12.....	55.8	49.2	43.2	48.5	43.2	43.2	55.5	54.0	52.4
Zone 12										Zone 27									
Sept. 21.....	56.4	47.6	42.6	49.0	42.1	41.6	56.0	54.5	52.9	Sept. 21.....	55.5	47.0	42.0	48.2	41.5	41.0	55.2	53.8	52.2
Sept. 28.....	56.4	48.6	43.6	49.0	42.6	42.6	56.0	54.5	52.9	Sept. 28.....	55.5	48.0	43.0	48.2	42.0	42.0	55.2	53.8	52.2
Oct. 5, 12.....	56.4	49.6	43.6	49.0	43.6	43.6	56.0	54.5	52.9	Oct. 5, 12.....	55.5	49.0	43.0	48.2	43.0	43.0	55.2	53.8	52.2
Zone 13										Zone 28									
Sept. 21.....	56.7	47.8	42.8	49.3	42.3	41.8	56.2	54.8	53.2	Sept. 21.....	55.8	47.2	42.2	48.5	41.7	41.2	55.5	54.0	52.4
Sept. 28.....	56.7	48.8	43.8	49.3	42.8	42.8	56.2	54.8	53.2	Sept. 28.....	55.8	48.2	43.2	48.5	42.2	42.2	55.5	54.0	52.4
Oct. 5, 12.....	56.7	49.8	43.8	49.3	43.8	43.8	56.2	54.8	53.2	Oct. 5, 12.....	55.8	49.2	43.2	48.5	43.2	43.2	55.5	54.0	52.4
Zone 14										Zone 29									
Sept. 21.....	57.0	48.0	43.0	49.5	42.5	42.0	56.5	55.0	53.4	Sept. 21.....	56.1	47.4	42.4	48.8	41.9	41.4	55.8	54.2	52.6
Sept. 28.....	57.0	49.0	44.0	49.5	43.0	43.0	56.5	55.0	53.4	Sept. 28.....	56.1	48.4	43.4	48.8	42.4	42.4	55.8	54.2	52.6
Oct. 5, 12.....	57.0	50.0	44.0	49.5	44.0	44.0	56.5	55.0	53.4	Oct. 5, 12.....	56.1	49.4	43.4	48.8	43.4	43.4	55.8	54.2	52.6
Zone 15										Zone 30									
Sept. 21.....	57.3	48.2	43.2	49.8	42.7	42.2	56.8	55.2	53.6	1 Zone 17A add 0.2 cent to above prices; Zone 17B add 0.4 cent to above prices; Zone 17C add 0.6 cent to above prices.									
Sept. 28.....	57.3	49.2	44.2	49.8	43.2	43.2	56.8	55.2	53.6										
Oct. 5, 12.....	57.3	50.2	44.2	49.8	44.2	44.2	56.8	55.2	53.6										



TABLE A—MAXIMUM PRICES BEGINNING SEPTEMBER 21, 1944, THROUGH OCTOBER 18, 1944—Continued

Weeks beginning—	Consumer grades sold to independent retailers			Wholesale grades sold to first receivers			Procurement grades sold to government agencies			Weeks beginning—	Consumer grades sold to independent retailers			Wholesale grades sold to first receivers			Procurement grades sold to government agencies		
	A	B	C	Extras 1 and 2	Standards 1 and 2	Current receipts	I	II	III		A	B	C	Extras 1 and 2	Standards 1 and 2	Current receipts	I	II	III
<b>Zone 30</b>										<b>Zone 38</b>									
Sept. 21.....	56.1	47.4	42.4	48.8	41.9	41.4	55.8	54.2	52.6	Sept. 21.....	54.9	46.6	41.6	47.8	41.1	40.6	54.8	53.2	51.6
Sept. 28.....	56.1	48.4	43.4	48.8	42.4	42.4	55.8	54.2	52.6	Sept. 28.....	54.9	47.6	42.6	47.8	41.6	41.6	54.8	53.2	51.6
Oct. 5, 12.....	56.1	49.4	43.4	48.8	43.4	43.4	55.8	54.2	52.6	Oct. 5, 12.....	54.9	48.6	42.6	47.8	42.6	42.6	54.8	53.2	51.6
<b>Zone 31</b>										<b>Zone 39</b>									
Sept. 21.....	55.8	47.2	42.2	48.5	41.7	41.2	55.5	54.0	52.4	Sept. 21.....	55.5	47.0	42.0	48.2	41.5	41.0	55.2	53.8	52.2
Sept. 28.....	55.8	48.2	43.2	48.5	42.2	42.2	55.5	54.0	52.4	Sept. 28.....	55.5	48.0	43.0	48.2	42.0	42.0	55.2	53.8	52.2
Oct. 5, 12.....	55.8	49.2	43.2	48.5	43.2	43.2	55.5	54.0	52.4	Oct. 5, 12.....	55.5	49.0	43.0	48.2	43.0	43.0	55.2	53.8	52.2
<b>Zone 32</b>										<b>Zone 40</b>									
Sept. 21.....	55.5	47.0	42.0	48.2	41.5	41.0	55.2	53.8	52.2	Sept. 21.....	55.8	47.2	42.2	48.5	41.7	41.2	55.5	54.0	52.4
Sept. 28.....	55.5	48.0	43.0	48.2	42.0	42.0	55.2	53.8	52.2	Sept. 28.....	55.8	48.2	43.2	48.5	42.2	42.2	55.5	54.0	52.4
Oct. 5, 12.....	55.5	49.0	43.0	48.2	43.0	43.0	55.2	53.8	52.2	Oct. 5, 12.....	55.8	49.2	43.2	48.5	43.2	43.2	55.5	54.0	52.4
<b>Zone 33</b>										<b>Zone 41</b>									
Sept. 21.....	54.9	46.6	41.6	47.8	41.1	40.6	54.8	53.2	51.6	Sept. 21.....	56.1	47.4	42.4	48.8	41.9	41.4	55.8	54.2	52.6
Sept. 28.....	54.9	47.6	42.6	47.8	41.6	41.6	54.8	53.2	51.6	Sept. 28.....	56.1	48.4	43.4	48.8	42.4	42.4	55.8	54.2	52.6
Oct. 5, 12.....	54.9	48.6	42.6	48.8	42.6	42.6	54.8	53.2	51.6	Oct. 5, 12.....	56.1	49.4	43.4	48.8	43.4	43.4	55.8	54.2	52.6
<b>Zone 34</b>										<b>Zone 42</b>									
Sept. 21.....	54.6	46.4	41.4	47.5	40.9	40.4	54.5	53.0	51.4	Sept. 21.....	56.1	47.4	42.4	48.8	41.9	41.4	55.8	54.2	52.6
Sept. 28.....	54.6	47.4	42.4	47.5	41.4	41.4	54.5	53.0	51.4	Sept. 28.....	56.1	48.4	43.4	48.8	42.4	42.4	55.8	54.2	52.6
Oct. 5, 12.....	54.6	48.4	42.4	47.5	42.4	42.4	54.5	53.0	51.4	Oct. 5, 12.....	56.1	49.4	43.4	48.8	43.4	43.4	55.8	54.2	52.6
<b>Zone 35</b>										<b>Zone 43</b>									
Sept. 21.....	54.6	46.4	41.4	47.5	40.9	40.4	54.5	53.0	51.4	Sept. 21.....	55.5	47.0	42.0	48.2	41.5	41.0	55.2	53.8	52.2
Sept. 28.....	54.6	47.4	42.4	47.5	41.4	41.4	54.5	53.0	51.4	Sept. 28.....	55.5	48.0	43.0	48.2	42.0	42.0	55.2	53.8	52.2
Oct. 5, 12.....	54.6	48.4	42.4	47.5	42.4	42.4	54.5	53.0	51.4	Oct. 5, 12.....	55.5	49.0	43.0	48.2	43.0	43.0	55.2	53.8	52.2
<b>Zone 36</b>										<b>Zone 44</b>									
Sept. 21.....	54.3	46.2	41.2	47.2	40.7	40.2	54.2	52.8	51.2	Sept. 21.....	57.0	48.0	43.0	49.5	42.5	42.0	56.5	55.0	53.4
Sept. 28.....	54.3	47.2	42.2	47.2	41.2	41.2	54.2	52.8	51.2	Sept. 28.....	57.0	49.0	44.0	49.5	43.0	43.0	56.5	55.0	53.4
Oct. 5, 12.....	54.3	48.2	42.2	47.2	42.2	42.2	54.2	52.8	51.2	Oct. 5, 12.....	57.0	50.0	44.0	49.5	44.0	44.0	56.5	55.0	53.4
<b>Zone 37</b>																			
Sept. 21.....	54.3	46.2	41.2	47.2	40.7	40.2	54.2	52.8	51.2										
Sept. 28.....	54.3	47.2	42.2	47.2	41.2	41.2	54.2	52.8	51.2										
Oct. 5, 12.....	54.3	48.2	42.2	47.2	42.2	42.2	54.2	52.8	51.2										

SEC. 1.12 Additions to and deductions from Table A prices for all other grades and all other sizes of eggs. This section establishes additions to and deductions from Table A delivered prices for sales of various size eggs of the following grades:

(a) Consumer grades AA (certified), A, B, and C, when sold to an independent retailer, independent retail route seller, large retailer at his individual store, or institutional user;

(b) Wholesale grades Specials 1 and 2 (inspected), Specials 3 and 4 (inspected),

Extras 1 and 2, Extras 3 and 4, Standards 1 and 2, Standards 3 and 4, checks and dirties, and eggs smaller than medium, when sold to a first receiver; and

(c) Procurement grades I, II, III, and IV, when sold to a U. S. Government agency.

TABLE A-1

(1) OTHER CONSUMER GRADES AND SIZES—ADJUSTMENT OF TABLE A PRICES ON SALES TO AN INDEPENDENT RETAILER, INDEPENDENT RETAIL ROUTE SELLER, LARGE RETAILER AT HIS INDIVIDUAL STORE, OR INSTITUTIONAL USER

[Amounts in cents per dozen to be added to or subtracted from the table A prices for certain grades]

Size	Grade AA USDA certified <sup>1</sup>	Grade A	Grade B	Grade C
Extra large	Add 4 cents per dozen to price for grade A large. <sup>1</sup>	Add 2 cents per dozen to price for grade A large.	Same as price of grade B large.	Same as price of grade C large.
Large	Add 2 cents per dozen to price for grade A large. <sup>1</sup>	Same as price in table A.	Same as price in table A.	Same as price in table A.
Medium	Same as price of grade A medium.	Subtract 3 cents per dozen from price of grade A large for period beginning second Thursday in January through first Wednesday in July. For all other weeks in the year subtract 5 cents per dozen.	Same as price of grade C large.	Same as price of grade C large.
Small	Small sizes of all grades, ungaged, checks, and dirties may sell at no more than the price of grade C large.			

<sup>1</sup> Extra large and large eggs of AA quality must be certified as such by the USDA. Eggs not certified shall sell at no more than the price of Grade A of the respective size.

"Light dirty" eggs, if USDA certified as Grade A or better, may be sold at not more than 1 cent less than Grade A prices for the size, but only within regions where their sale has been customary in the past, and only if their sale is first authorized by the Regional Administrator. See section 3.8



TABLE A-1—Continued

(C) OTHER WHOLESALE GRADES AND SIZES—ADJUSTMENT OF TABLE A PRICES ON SALES TO A FIRST RECEIVER, PRIOR PURCHASER, OR UNITED STATES GOVERNMENT AGENCY  
[Amounts in cents per dozen to be added to or subtracted from the table A prices for certain grades]

Size	Specials 1 and 2 USDA inspected <sup>1</sup>	Specials 3 and 4 USDA inspected <sup>1</sup>	Extras 1 and 2	Standards 1 and 2	Extras 3 and 4
Extra large.....	Add 4 cents per dozen to price for large Extras 1 and 2. <sup>1</sup>	Add 3 cents per dozen to price for large Extras 1 and 2. <sup>1</sup>	Add 2 cents per dozen to price for large Extras 1 and 2.	Same as price of large Standards 1 and 2.	Add 2 cents per dozen to price for large Extras 3 and 4.
Large.....	Add 2 cents per dozen to price for large Extras 1 and 2. <sup>1</sup>	Add 1 cent per dozen to price for large Extras 1 and 2. <sup>1</sup>	Same as price in table A.....	Same as price in table A.....	Average of prices for large Extras 1 and 2 and large Standards 1 and 2. <sup>1</sup>
Medium.....	Same as price of medium Extras 1 and 2.	Same as price of medium Extras 1 and 2.	Subtract 3 cents per dozen from large Extras 1 and 2 for period beginning second Thursday in January through first Wednesday in July; subtract 5 cents per dozen for all other weeks in year.	Same as current receipts..	Subtract 3 cents per dozen from large Extras 3 and 4 for period beginning second Thursday in January through first Wednesday in July; subtract 5 cents per dozen for all other weeks in year.

<sup>1</sup> Eggs sold as Specials must be inspected as such by the USDA. Eggs not inspected shall sell at no more than the price of Extras 1 and 2 of the respective size.

<sup>2</sup> The average is the sum of the two prices, divided by 2.

(i) The maximum price for Standards 3 and 4, ungraded, and eggs smaller than mediums shall be the same as for current receipts in table A.

(ii) The maximum price for Checks and Dirties shall be 1 cent less than the price for current receipts in table A.

(iii) No increase in price is permitted for any weight other than prescribed in section 1.3.

(S) OTHER PROCUREMENT GRADES AND SIZES—ADJUSTMENT OF TABLE A PRICES ON SALES TO A U. S. GOVERNMENT AGENCY

The maximum price for large eggs of procurement grade IV shall be the following amounts less than the maximum price for large eggs of procurement grade III, during the periods indicated:

Second Thursday in January to first Wednesday in July, inclusive,  $\frac{1}{2}$  cent less per dozen.

First Thursday in July to second Wednesday in January, inclusive, 2 cents less per dozen.

The maximum prices for extra large eggs of procurement grades I, II, III, and IV are the same as maximum prices for large eggs of the same grades.

The maximum prices for medium size eggs of procurement grades I, II, III, and IV are 5 cents less per dozen than the maximum prices for large eggs of the same grades. Procurement grades of eggs of less than medium size shall not be sold at more than the maximum prices for medium size.

SEC. 1.13 *Maximum prices on delivered sales for transactions not covered by Tables A and A-1.* This section establishes maximum prices for delivered

sales not covered by Tables A and A-1. After the price for the size and grade has been determined by reference to Tables A and A-1, this Table A-2 must be used

to determine the maximum delivered price for the sale by the particular seller to a particular buyer.

TABLE A-2

OTHER TYPES OF SALES—ADJUSTMENT OF TABLE A AND TABLE A-1 PRICES ON TYPES OF SALES NOT COVERED BY THESE TABLES

Sellers	Grades	Buyers			
		First receiver, Prior purchaser	Large retailer at warehouse, Large retail route seller, Jobber, Mfr. of egg product	Independent retailer, Large retailer at individual store, Independent retail route seller, Institutional user	U. S. Government Agencies
Producer, shipper, prior purchaser.....	Wholesale.....	Same as price of wholesale grades in Tables A, A-1.	Same as price of wholesale grades in Tables A, A-1.	Same as price of wholesale grades in Tables A, A-1.	Same as wholesale grades in Tables A, A-1.
First receiver, jobber.....	Wholesale.....	Same as price of wholesale grades in Tables A, A-1.	Price of wholesale grades in Tables A, A-1 plus 1.3¢ per doz.	Price of wholesale grades in Tables A, A-1 plus 2.8¢ per doz.	Same as wholesale grades in Tables A, A-1.
Producer, shipper, prior purchaser.....	Consumer.....	Price of consumer grades in Tables A, A-1 less 1.5¢ per doz.	Price of consumer grades in Tables A, A-1 less 1.5¢ per doz.	Same as price of consumer grades in Tables A, A-1.	Price of consumer grades in Tables A, A-1 less 0.7¢ per doz.
First receiver, jobber.....	Consumer.....	Price of consumer grades in Tables A, A-1 less 1.5¢ per doz.	Price of consumer grades in Tables A, A-1 less 0.7¢ per doz.	Same as price of consumer grades in Tables A, A-1.	Price of consumer grades in Tables A, A-1 less 0.7¢ per doz.

Sales to household consumers by any seller other than a retailer: For current receipts and other wholesale grades the maximum price is the price for large consumer. Grade O eggs sold to an independent retailer, multiplied by 1.17; for all consumer grades the maximum price is the price for the grade and size when sold to an independent retailer, multiplied by 1.17.

Sales to ship operators by licensed ship suppliers of procurement grades which have been purchased from War Shipping Administration: Table A prices for the grade and size plus 1.3¢ per dozen.

## ARTICLE II—EGG PRODUCTS

SEC. 2.1 *What this regulation does; egg products.* Article II of this regulation establishes maximum wholesale prices for delivered and f. o. b. sales of egg products in frozen, liquid, and dried form, and for mixtures and emulsions of egg products. Base prices are given for each product, for each month of the year, for certain named basing point cities, and the maximum price for the product is to be calculated according to the method described. For pricing frozen and liquid egg products the country is divided into Eastern and Western areas and these are defined in section 3.2. For dried egg products the prices are calculated from either New York or Seattle without regard to any area.

SEC. 2.2 *Standards.* Except for permitted sales of certain dried egg products to a procurement agency of the United States Army Quartermaster Corps, the

prices named in this article are for egg products that meet the standards defined in section 3.2 and that comply with the requirements of the Federal Food, Drug, and Cosmetic Act.

SEC. 2.3 *Maximum delivered prices for frozen egg products; more than 30,000 pounds.* Maximum prices for frozen egg products (that is, frozen whole eggs, frozen reconstituted eggs, frozen whites, frozen 45% yolks, and frozen sugared or

salted yolks) delivered in quantities of more than 30,000 pounds to a buyer at the refrigerated warehouse that is his customary receiving point, are established in this section.

(a) Maximum delivered prices in the basing point cities of New York, Seattle, Portland (Oregon), San Francisco, Los Angeles, San Diego, Phoenix, and Tucson, for the months named, are as follows:

TABLE B (WESTERN AREA)

[Cents per pound]

	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.
Frozen:												
Whole or reconstituted.....	35.4	35.3	32.0	32.0	32.0	32.0	33.0	33.4	33.8	34.2	34.6	35.0
Whites.....	27.4	27.3	24.0	24.0	24.0	24.0	25.0	25.4	25.8	26.2	26.6	27.0
45-percent yolks.....	48.9	48.8	45.5	45.5	45.5	45.5	46.5	46.9	47.3	47.7	48.1	48.5
Sugared or salted yolks.....	43.6	43.5	40.2	40.2	40.2	40.2	41.2	41.6	42.0	42.4	42.8	43.2

For the basing point city of Miami, Florida, the maximum prices are one-half cent per pound more than those stated in Table B above.



To find the maximum delivered prices for any other point, except Kansas City, in the "Western Area" (which is defined in section 3.2), make the following calculation:

(1) Take the price for the particular product, for the month in which delivered, from Table B above. (The Miami price is to be used only in computing prices for delivery at points for which Miami is the basing point city.)

(2) Find the basing point city that has the lowest carlot freight rate per pound from the place of delivery. (The freight rate from the place of delivery to the basing point city

must be used, not the rate for the opposite direction.) If there is no actual carlot freight rate between these places, find the lowest rate for other means of transportation.

(3) Multiply this rate by 1.16. (The result is called the "transportation factor".)

(4) Subtract the "transportation factor" (subparagraph (3)) from the Table B price (subparagraph (1)).

(5) The result is the maximum price at the place of delivery.

(b) Maximum prices in the basing point city of Kansas City, Missouri, for the months named, are as follows:

TABLE C (EASTERN AREA)

[Cents per pound]

	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.
Frozen:												
Whole or reconstituted.....	34.0	33.9	30.6	30.6	30.6	30.6	31.6	32.0	32.4	32.8	33.2	33.6
Whites.....	28.0	25.9	22.6	22.6	22.6	22.6	23.6	24.0	24.4	24.8	25.2	25.6
45% yolks.....	47.5	47.4	44.1	44.1	44.1	44.1	45.1	45.5	45.9	46.3	46.7	47.1
Sugared or salted yolks.....	42.2	42.1	38.8	38.8	38.8	38.8	39.8	40.2	40.6	41.0	41.4	41.8

To find the maximum prices for any point in the "Eastern area" (which is defined in section 3.2), other than New York City and Miami, Florida, make the following calculation:

(1) Take the price for the product, for the month in which delivered, from Table C above.

(2) Find the actual carlot freight rate per pound from Kansas City, Missouri to the place of delivery in the "Eastern area." (The rate from Kansas City to the place of delivery must be used, not the rate for the opposite direction.) If there is no actual carlot freight rate between these places, find the lowest rate for other means of transportation.

(3) Multiply this rate by 1.16. (The result is called the "transportation factor".)

(4) Add the "transportation factor" (subparagraph (3)) to the Table C price (subparagraph (1)).

(5) The result is the maximum price at the place of delivery.

**Sec. 2.4 Maximum delivered prices for liquid egg products; more than 30,000 pounds.** Maximum base prices for the sale of liquid egg products (liquid whole eggs, liquid reconstituted eggs, liquid whites, liquid 45% yolks, and liquid sugared or salted yolks) delivered to any buyer in quantities of more than 30,000 pounds during the months of July, August, September, October, November, December and January, shall be the same as the prices per pound for the corresponding frozen egg products for the same months as set out in the above section 2.3. During the months of February, March, April, May, and June, the prices for liquid egg products shall be  $\frac{1}{2}$  cent per pound less than the maximum prices per pound for the corresponding frozen egg products for the same month.

**Sec. 2.5 Variations in percentage of solids; frozen or liquid yolk products.** The prices set out in sections 2.3 and 2.4 for frozen and liquid yolk products are for those products that meet the standards of the definition in section 3.2. For variations in percentage of solids in frozen or liquid yolk products the following additions to and deductions from maximum prices shall be made:

(a) For each whole 1 percent in excess of 45 percent in solids of frozen or liquid yolks not containing sugar or salt, the seller may add 85/100 cent (\$0.0085) per

pound to the prices in sections 2.3 and 2.4 above.

(b) For each 1 percent or fraction of 1 percent less than 45 percent in solids of frozen or liquid yolks not containing sugar or salt, the seller shall deduct 85/100 cent (\$0.0085) per pound from the prices in sections 2.3 and 2.4 above.

(c) For each whole 1 percent in excess of 43 percent in solids of frozen or liquid yolks containing sugar or salt, the seller may add  $\frac{3}{4}$  cent (\$0.0075) per pound to the prices in sections 2.3 and 2.4 above.

**Sec. 2.6 Maximum prices for frozen and liquid egg products; 30,000 pounds or less.** Maximum prices for frozen and liquid egg products in quantities of 30,000 pounds or less are the prices in the three next preceding sections plus certain increases set out in the following subparagraphs. The applicable maximum base price for such sales is the price at the seller's manufacturing plant or refrigerated warehouse from which actual delivery is made, calculated according to the same method as that used for determining the delivered price at such place in section 2.3 above.

(a) **Increases for deliveries of 30,000 pounds or less.** On deliveries from one seller to one buyer of frozen and liquid egg products that average 30,000 pounds or less per calendar week, an increase may be added to maximum prices named in the three next preceding sections 2.3, 2.4, and 2.5 as set out in the table below.

Weekly average of deliveries from the seller to one buyer:	Permitted increase (cents per pound)
3,001 to 30,000 pounds inclusive.....	$\frac{1}{2}$
1,501 to 3,000 pounds inclusive.....	1
501 to 1,500 pounds inclusive.....	2
500 pounds or less.....	3

In computing the average weekly deliveries, all f. o. b. sales and all actual deliveries of all frozen and liquid egg products from the seller to any one buyer shall be included, whether or not covered by one or more separate contracts.

(b) **The weekly average is to be computed as follows—**(1) On contract sales. The total quantity of frozen and liquid egg products contracted to be bought by the buyer, for each delivery point, shall

be divided by the number of weeks during which deliveries are to be made. The quotient shall be considered the average weekly delivery. The seller shall keep records showing actual deliveries of all frozen and liquid egg products. As of the first Monday in January and the first Monday in July of each year, the seller shall compute the total of all deliveries to each delivery point of each buyer for the preceding six months' period, and divide the total number of pounds by the total number of weeks covered by the contract. If the resulting average is found to entitle the buyer to a lower price than he has paid, the seller shall refund the difference to the buyer within six weeks.

(2) **Open market and spot business.** If no written contract is made between seller and buyer, the buyer shall indicate in writing to the seller his opinion of the total quantity of frozen and liquid egg products he will buy per week at a given delivery point. The seller may then quote on that basis, making the provision, however, in his quotation, that if the buyer lowers the quantity of his requirements so that actual deliveries fail to average the quantity indicated by the buyer, the buyer may be billed for any difference to which the seller is entitled, according to the table in paragraph (a) above. As in the case of contract sales, the seller shall maintain records of sales at each delivery point and within six weeks of the first Monday in January and the first Monday in July, make refunds in the instances where actual average deliveries warranted lower prices.

(c) **Delivery charges.** For delivery of frozen and liquid egg products in quantities of 30,000 pounds or less per week, the following increases in maximum prices may be made in addition to those permitted by paragraph (a) above.

(1) **Within 25 miles.** For delivery within 25 miles of the seller's manufacturing plant or refrigerated warehouse, an increase of  $\frac{1}{4}$  cent per pound may be added to paragraph (a) increases. But see paragraph (3) below for quantities under 200 pounds.

(2) **Over 25 miles.** For deliveries to a buyer whose place of business is more than 25 miles from the seller's manufacturing plant or refrigerated warehouse, the actual freight cost, at the lowest applicable l.c.l. refrigerated rail or truck rate, may be added to paragraph (a) increases. But see subparagraph (3) below for quantities under 200 pounds.

(3) **Under 200 pounds.** For any quantity under 200 pounds, a flat charge of not more than 50 cents for the total delivery may be made in lieu of the increase permitted in subparagraphs (1) or (2) above and in addition to paragraph (a) increases.

**Sec. 2.7 Maximum prices for sales and deliveries of dried egg products; more than 3,000 pounds.** The maximum prices fixed in this section are for sales and deliveries of dried egg products (that is, dried whole eggs, dried egg yolks, flake-dried albumen, and spray-dried or powdered albumen) that meet the standards set out in the definitions in sec-



tion 3.2 Maximum prices of these dried egg products in quantities of more than 3,000 pounds, for the month in which delivered, are set out below.

(a) Maximum prices per pound for sales and deliveries in the cities of New York and Seattle, for the months named, are as follows:

TABLE D

	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.
Dried yolk.....	\$1.10	\$1.06	\$1.02	\$1.02	\$1.02	\$1.02	\$1.04	\$1.05	\$1.06	\$1.07	\$1.08	\$1.09
Flake dried albumen.....	2.14	2.01	1.88	1.88	1.88	1.88	1.96	1.99	2.02	2.05	2.08	2.11
Powdered albumen.....	2.19	2.06	1.93	1.93	1.93	1.93	2.01	2.04	2.07	2.10	2.13	2.16
Whole dried egg.....	1.285	1.185	1.15	1.15	1.15	1.15	1.18	1.21	1.24	1.25	1.26	1.275

No premium shall be allowed for high "percentage in solids" or "palatability score", except on sales to a United States Government agency as set out in section 2.9 of this regulation.

(b) To find the maximum prices for sales and deliveries at any other place, make the following calculation:

(1) Take the price for the particular product, for the month in which delivered, from Table D above.

(2) Find out which city, New York or Seattle, has the lowest carlot freight rate per pound from the place of delivery. (The freight rate from the place of delivery to New York or Seattle must be used, not the rate for the opposite direction.) If there is no actual carlot freight rate between these places, find the lowest rate for other means of transportation.

(3) Multiply this rate by 1.14. (The result is called the "transportation factor".)

(4) Subtract the "transportation factor" (subparagraph (3)) from the Table D price (subparagraph (1)).

(5) The result is the maximum price at the place of delivery.

SEC. 2.8 Maximum prices for sales and deliveries of dried egg products; 3,000 pounds or less. The following increases may be added to the maximum base prices for dried egg products when sold and delivered in quantities of 3,000 pounds or less per calendar week by one seller to any one particular buyer other than a United States Government agency:

Weekly total of deliveries from the seller to one buyer	Permitted increase	
	Dried whole eggs, dried egg yolks (cents per pound)	Flake-dried albumen, spray-dried albumen, powdered albumen (cents per pound)
1,001 to 3,000 pounds inclusive.....	3	5
101 to 1,000 pounds inclusive.....	6	8
100 pounds or less.....	10	12

All f. o. b. sales and all actual deliveries of all dried egg products from the seller to any one buyer shall be included, whether or not covered by one or more separate contracts.

SEC. 2.9 Dried egg products; permitted increases for high percentage in solids and high palatability score—(a) Percentage in solids. On sales to a United States Government agency only, the permitted increases set out below may be added to the maximum prices for dried eggs that contain the indicated percentages in solids. This increase may not be added on other sales.

Percentages in solids:	Permitted increase (cents per pound)
96 to 96.49 inclusive.....	¾
96.50 to 96.99 inclusive.....	1½
97 to 97.49 inclusive.....	2¼
97.50 and up.....	3

(b) Palatability score. On sales to a United States Government agency only, the permitted increases set out below may be added to the maximum prices for dried eggs that meet a palatability score of 7, 7½, or 8. This increase may not be added on other sales.

Palatability score:	Permitted increase (cents per pound)
7.....	½
7½.....	1
8.....	1½

SEC. 2.10 Dried egg products; experimental specifications of the Army Quartermaster Corps. Dried egg products which meet each requirement of "Quartermaster Corps Tentative Specification" identified as "C. Q. D. No. 117, 28 January 1944, superseding C. Q. D. No. 117 4 March 1943" as now promulgated, or as amended from time to time, when sold to a procurement agency of the United States Army Quartermaster Corps, are exempt from price control until further order of the Administrator.

SEC. 2.11 Blends or emulsions. The maximum prices for mixtures, blends, or emulsions of two or more egg products (whether frozen, liquid, or dried) shall be the total of the maximum prices for the separate egg products, plus the actual cost of all other ingredients.

SEC. 2.12 Containers. The maximum prices for all egg products (whether frozen, liquid, or dried) include the cost of a suitable and complete container or package furnished by the seller, except that when frozen egg products are sold in containers of the capacity of 20 pounds or less, one-half cent per pound may be added to the maximum price. If a suitable container or package is not furnished by the seller, or is returned by the buyer to the seller or to another person at the seller's direction, deduction shall be made from the maximum prices for the egg products in the amount of the maximum price of such containers or the current market price if there is no fixed maximum price.

#### ARTICLE III—GENERAL

SEC. 3.1. Maximum prices continue from year to year. The maximum prices for eggs and egg products, established by this regulation, continue from year to year.

SEC. 3.2 Definitions. When used in this regulation, the term:

(a) "Person" means an individual, corporation, partnership, association, or any other organized group of persons or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, any other Government or any of its political subdivisions, and any agency of any of the foregoing.

(b) "Inspected" or "USDA inspected" means inspected by an authorized inspector in accordance with all the standards of the United States Department of Agriculture for such inspection.

(c) "Certified" or "USDA certified" means graded and certified by an authorized grader in accordance with all the standards of the United States Department of Agriculture for such grading and certification.

(d) "Checks", "dirties" and "light dirty eggs" means the eggs designated by each of those names as defined in the United States Department of Agriculture "Specifications for Official U. S. Standards for Quality of Individual Shell Eggs." "Light dirty eggs", must meet additional requirements set out in this regulation.

(e) "Independent retailer" means a retailer who maintains less than four individual stores or individual retail outlets.

(f) "Large retailer" means a retailer who maintains a group of four or more individual stores or individual retail outlets under one ownership.

(g) "Retail route seller" means a seller of eggs who distributes them to household consumers from an inventory stored in trucks or other conveyances operated by driver salesmen over regular routes. An "independent retail route seller" is one who operates less than four of such trucks and a "large retail route seller" is one who operates four trucks or more.

(h) "Institutional user" means any one of three types of users: one who prepares eggs for consumption in public eating-places such as hotels, restaurants, etc.; one who prepares eggs for consumption in institutional or other group eating-places such as hospitals, school lunchrooms, non-federal government establishments, etc.; or one who buys eggs for manufacture into other types of food, such as bakers, candy manufacturers, etc. The term does not include a manufacturer of frozen, dried, or liquid egg products, or a U. S. Government agency.

(i) "Jobber" means a dealer who purchases eggs generally in wholesale grades or as ungraded eggs from a first receiver and in less than carlot quantities; who customarily candles and grades such eggs into consumer grades; and who customarily sells such eggs to independent retailers in quantities of less than 50 cases. The term includes sellers who customarily supply ship operators with eggs in quantities of more or less than 50 cases.

(j) "First receiver" means a dealer who is located not more than 200 miles from the place in which the eggs sold will be distributed and sold to con-



sumers; who purchases eggs generally in wholesale grades or as ungraded eggs from a producer or shipper; and who customarily sells such eggs to jobbers and retailers.

(k) "Prior purchaser" means a buyer such as a huckster or shipper. The term means every buyer except a retailer, retail route seller, institutional user, household user, first receiver, jobber, manufacturer of egg products, ship supplier, or U. S. Government agency.

(l) "Eastern area" means the states of Alabama, Connecticut, Delaware, District of Columbia, Florida, Georgia, Indiana, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Mississippi, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, and West Virginia.

(m) "Western area" means the states of Arizona, Arkansas, California, Colorado, Idaho, Illinois, Iowa, Kansas, Minnesota, Missouri, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Texas, Utah, Washington, Wisconsin, and Wyoming.

(n) "Egg products" means the frozen, dried, and liquid eggs and blends, mixtures, and emulsions covered by this regulation.

(o) "Frozen whole eggs" means the frozen whole eggs defined and identified in orders promulgated by the United States Department of Agriculture and published in Title 21, Volume 4, Number 138 of the FEDERAL REGISTER of July 20, 1939, pages 3374 to 3378, inclusive.

(p) "Frozen whites" means the whites of eggs after the eggs have been broken, the whites separated from the yolks and the whites frozen at a temperature of zero degrees Fahrenheit or below.

(q) "Frozen 45% yolks" means the frozen egg yolks defined and identified in orders promulgated by the United States Department of Agriculture and published in Title 21, Volume 4, Number 138 of the FEDERAL REGISTER of July 20, 1939, pages 3374 and 3375 except that such egg yolks shall contain not less than 45% of total egg solids as determined by the method prescribed in such orders.

(r) "Frozen sugared or salted yolks" means the frozen egg yolks (containing not less than 43% of total egg solids) defined and identified by the United States Department of Agriculture in orders promulgated and published in Title 21, Volume 4, Number 138 of the FEDERAL REGISTER of July 20, 1939, pages 3374 and 3375 to which has been added sugar or salt in the proportion of one pound to each nine pounds of such egg yolks.

(s) "Frozen reconstituted eggs" means a frozen mixture of egg yolks, egg whites, and whole eggs which contains not less than 26% of total egg solids determined according to the method prescribed by the United States Department of Agriculture, in orders promulgated and published in Title 21, Volume 4, Number 138 of the FEDERAL REGISTER of July 20, 1939, pages 3374 to 3378, inclusive.

(t) "Liquid egg products" are the unfrozen form of the various frozen egg products herein defined.

(u) "Dried whole eggs" and "dried egg yolks" means the product defined by each of those names in orders promulgated by the United States Department of Agriculture and published in Title 21, Volume 4, Number 138 of the FEDERAL REGISTER of July 20, 1939, pages 3376 and 3377.

(v) "Dried albumen" means liquid whites that have been dried into flaked or powdered form.

(w) "Percentage in solids" means the percentage in total egg solids of a lot of dried whole eggs, as determined by the method prescribed in "Official and Tentative Methods of Analysis of the Association of Official Agricultural Chemists," fourth edition, 1935, pages 297 and 298, under "Total Solids."

(x) "Palatability" means the degree to which a representative sample of a lot of dried whole eggs is pleasing to human taste when tested and scored in accordance with methods set out in the order of the War Food Administrator published in Title 7, Volume 9, Number 27 of the FEDERAL REGISTER of February 8, 1944, page 1499, and shall be evidenced by a "palatability score" as provided in such order.

SEC. 3.3 *Adjustment of maximum prices for eggs and egg products.* (a) The Office of Price Administration, or any duly authorized representative thereof, may adjust any maximum price established under this regulation for egg items in the case of any seller or group of sellers where it appears:

(1) That there exists or threatens to exist in a particular locality a shortage in the supply of such egg items; and

(2) That such local shortage will be substantially reduced or eliminated by adjusting the maximum prices of such seller and of like sellers for such egg items; and

(3) That such adjustment will not create or tend to create a shortage, or a need for increase in prices, in another locality, and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended.

(b) Applications for adjustment under this section shall be filed in accordance with Revised Procedural Regulation No. 1.

(c) Each Regional Administrator is authorized to make adjustments or act upon applications for adjustment under this section.

(d) In addition to the foregoing provisions each Regional Administrator is authorized to make adjustments in the maximum prices for shell eggs provided in this revised regulation not exceeding two-tenths of one cent per dozen in amount, by appropriate order issued by him: *Provided*, That such order shall be made applicable to areas within his region that are defined in such order and provided that paragraph (a) (3) of this section is complied with.

(e) Each Regional Administrator is further authorized to issue an order authorizing the sale and delivery of "light dirty eggs" as defined in this revised regulation, upon the following conditions:

(1) The order of the Regional Administrator must define the area within which such eggs may be sold and delivered.

(2) The Regional Administrator must determine that "light dirty eggs" as defined in this regulation have been sold customarily within the area defined prior to the time his order is issued. The maximum prices for light dirty eggs established by the order of the Regional Administrator, whether of consumer grade A or AA quality, shall be 1 cent less per dozen than the maximum price for consumer grade A eggs.

(3) The order of the Regional Administrator shall provide that light dirty eggs shall be sold only in sealed cartons or other sealed containers bearing upon the seal the certificate of the U. S. Department of Agriculture certifying that the eggs are of an interior quality of consumer grade A or better. The order shall further provide that, upon the effective date thereof, light dirty eggs as defined in this regulation shall become a consumer grade of eggs within the area defined in such order.

SEC. 3.4 *Emergency purchases by a United States Government agency.* A United States Government agency may purchase egg items at more than ceiling prices provided the following conditions are complied with:

(a) That the egg items are urgently needed for immediate consumption and use in a particular locality.

(b) That the egg items are not being purchased for storage purposes.

(c) That the egg items necessary to supply the urgent need are not available from supplies currently held by the purchasing agency.

(d) That due solely to the conditions of emergency the necessary supply of the particular egg item or items in the individual case cannot be obtained unless the seller incurs expense or performs or furnishes material in addition to that normally required in the sale and delivery of such egg items at the maximum prices herein provided.

(e) That the price paid or agreed to be paid has not been increased except for such additional expense actually incurred and the actual value of any additional labor so performed or material so furnished.

(f) That within 10 days after such emergency purchase is made, an officer or representative of the purchasing agency designated by it reports to the Administrator in writing the fact showing full compliance with the foregoing conditions.

SEC. 3.5. *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 3.6 *Prohibition against selling or buying at higher than maximum prices.* On and after September 25, 1944, regardless of any contract, agreement, or other obligation, no person shall sell or deliver any of the eggs or egg products covered in this regulation, and no person in the course of trade or business, shall buy or receive such eggs or



egg products, at a price higher than the maximum prices permitted by this regulation and no person shall agree, offer, solicit, or attempt to do any of the foregoing.

**SEC. 3.7 Geographical applicability.** The provisions of this Revised Maximum Price Regulation 333 shall be applicable only to the 48 states of the United States and the District of Columbia.

**SEC. 3.8 Calculations.** Fractions of a cent remaining after the total price for the quantity sold has been calculated shall be dropped if less than  $\frac{1}{2}$  cent and increased to the next higher cent if  $\frac{1}{2}$  cent or more.

**SEC. 3.9 Records.** Every seller and buyer subject to this regulation, making sales or deliveries or purchases of eggs or egg products to the value of \$200 or more in any one month, shall keep for inspection of the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, a complete and accurate record of each sale or delivery or purchase of eggs or egg products, showing all of the following information that is applicable to the transaction: names and addresses of buyer and seller; date of delivery or acceptance; quantities bought or sold; prices at which bought or sold; name of the egg product; and size or weight, and grade, of the eggs.

**SEC. 3.10 Export sales.** The maximum prices at which a person may export any eggs or egg products shall be determined in accordance with the Revised Maximum Export Price Regulation.

**SEC. 3.11 Adjustable pricing.** Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery, but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration having authority to act upon the pending request for a change in price or to give the authorization.

The authorization will be given by order, except that it may be given by letter or telegram when the contemplated revision will be the granting of an individual application for adjustment.

**SEC. 3.12 Taxes.** If any statute of the United States or ordinance of any state or subdivision of any state imposes a tax upon the sale or delivery of any eggs or egg products covered by this regulation and does not prohibit the seller from stating and collecting the tax separately from the purchase price, the seller may collect, in addition to the maximum price, the amount of the tax actually paid

by him or an amount equal to the amount of the tax paid by any prior vendor and separately stated and collected by the vendor from whom he purchased such eggs or egg products, *Provided, however, That:*

(a) The seller states and collects the tax separately from the purchase price; and

(b) If the tax was in effect prior to the effective date of this regulation, the seller's customary business practice was to state and to collect the tax separately from the purchase price of the eggs or egg products; and

(c) Appropriate records are kept indicating the amount of the tax, by which governmental authority the tax was imposed, to whom the tax was paid (the prior vendor or the government), to what specific egg items the tax applies, and to whom they were sold.

In no other case may the amount of a tax be added to the maximum prices established by this regulation.

**SEC. 3.13 Transfers of business or stock in trade.** If the business or stock in trade of a person covered by this regulation is sold or otherwise transferred on or after December 30, 1942, and the transferee continues the business, the maximum prices of the transferee shall be the same as those which the transferor would have been subject to if no transfer had taken place, and his obligation to keep records sufficient to verify these prices shall be the same. The transferor shall either preserve and make available, or shall turn over to the transferee all records of transactions prior to the transfer which are necessary to enable the transferee to comply with the record provisions contained in this regulation.

**SEC. 3.14 Evasion.** The price limitations set forth in this regulation shall not be evaded, either by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase, or receipt, of or relating to any eggs or egg products, alone or in conjunction with any other commodity, or by way of any commission, service, transportation, or other charge or discount, premium, or other privilege, or by tying-agreement or other trade understanding, or otherwise.

Eggs or egg products shall not be exchanged, traded, or bartered for anything having a value or maximum price greater than the maximum price established for such eggs or egg items.

Except insofar as this regulation permits f. o. b. pricing, the maximum prices established by this regulation shall not be evaded or circumvented by selling eggs or egg products at a price f. o. b. the seller's shipping point.

**SEC. 3.15 Enforcement.** Persons violating any provisions of this regulation are subject to the penalties provided for by the Emergency Price Control Act of 1942, as amended.

**SEC. 3.16 Petitions for amendment.** Any person seeking an amendment of any provision of this Revised Maximum Price Regulation 333 may file a petition for amendment in accordance with the

provisions of Revised Procedural Regulation No. 1 issued by the Office of Price Administration.

**SEC. 3.17 Applicability of certain provisions of supplementary regulations and orders.** (a) The following provisions of the following supplementary regulations and orders shall be applicable to all agreements, sales, and deliveries covered by this Revised Maximum Price Regulation 333 unless otherwise provided in this regulation.

Revised Supplementary Regulation No. 1,<sup>1</sup> section 4.4 (Developmental contracts).

Supplementary Order No. 42, Amendment 1,<sup>2</sup> § 1307.57 (Secret contracts).

Supplementary Order No. 27,<sup>3</sup> § 1305.32 (Sales or deliveries of the War Department or the Navy Department through such department's sales stores).

Revised Supplementary Order No. 34,<sup>4</sup> (Addition of extra export packaging expenses on sales to procurement agencies of the United States).

Supplementary Order No. 31,<sup>5</sup> (Treatment of 3% transportation tax imposed by section 620 of Revenue Act of 1942).

Supplementary Order No. 81,<sup>6</sup> (establishing maximum prices for sales by United States Government agencies and exempting certain of such sales from price control).

Supplementary Order No. 84,<sup>7</sup> (Describing conditions for payment by a marketing cooperative of a patronage dividend).

**SEC. 3.18 Zones.** The zones referred to in this regulation are comprised of the counties or other political subdivisions of the respective states set opposite each zone number listed below.

LIST OF COUNTIES, WITH ZONE NUMBER, ARRANGED ALPHABETICALLY BY STATES

ALABAMA		
Zone		Zone
Autauga ----- 18	Houston ----- 15	
Baldwin ----- 18	Jackson ----- 19	
Barbour ----- 15	Jefferson ----- 19	
Bibb ----- 18	Lamar ----- 19	
Blount ----- 19	Lauderdale ----- 20	
Bullock ----- 18	Lawrence ----- 20	
Butler ----- 18	Lee ----- 18	
Calhoun ----- 18	Limestone ----- 20	
Chambers ----- 18	Lowndes ----- 18	
Cherokee ----- 19	Macon ----- 18	
Chilton ----- 18	Madison ----- 19	
Choctaw ----- 18	Marengo ----- 18	
Clarke ----- 18	Marion ----- 19	
Clay ----- 18	Marshall ----- 19	
Cleburne ----- 18	Mobile ----- 18	
Coffee ----- 15	Monroe ----- 18	
Colbert ----- 20	Montgomery ----- 18	
Conecuh ----- 18	Morgan ----- 20	
Coosa ----- 18	Perry ----- 18	
Covington ----- 18	Pickens ----- 19	
Crenshaw ----- 18	Pike ----- 18	
Cullman ----- 19	Randolph ----- 18	
Dale ----- 15	Russell ----- 18	
Dallas ----- 18	St. Clair ----- 19	
De Kalb ----- 19	Shelby ----- 18	
Elmore ----- 18	Sumter ----- 18	
Escambia ----- 18	Talladega ----- 18	
Etowah ----- 19	Tallapoosa ----- 18	
Fayette ----- 19	Tuscaloosa ----- 19	
Franklin ----- 20	Walker ----- 19	
Geneva ----- 15	Washington ----- 18	
Greene ----- 18	Wilcox ----- 18	
Hale ----- 18	Winston ----- 19	
Henry ----- 15		

<sup>1</sup> 8 F.R. 4978.

<sup>2</sup> 8 F.R. 11951.

<sup>3</sup> 7 F.R. 9229.

<sup>4</sup> 8 F.R. 12404, 14073.

<sup>5</sup> 7 F.R. 9894; 8 F.R. 1312, 3702, 9521.

<sup>6</sup> 9 F.R. 310.

<sup>7</sup> 9 F.R. 1721.



## ARKANSAS

	Zone		Zone
Arkansas	25	Lee	25
Ashley	25	Lincoln	25
Baxter	34	Little River	32
Benton	35	Logan	33
Boone	34	Lonoke	7
Bradley	25	Madison	34
Calhoun	25	Marion	34
Carroll	34	Miller	32
Chicot	24	Mississippi	9
Clark	27	Monroe	25
Clay	7	Montgomery	33
Cleburne	7	Nevada	27
Cleveland	25	Newton	34
Columbia	27	Ouachita	25
Conway	33	Perry	33
Craighead	7	Phillips	25
Crawford	34	Pike	27
Crittenden	9	Poinsett	7
Cross	7	Polk	33
Dallas	27	Pope	33
Desha	24	Prairie	7
Drew	25	Pulaski	7
Faulkner	33	Randolph	7
Franklin	33	St. Francis	7
Fulton	34	Saline	27
Garland	27	Scott	33
Grant	27	Searcy	34
Greene	7	Sebastian	34
Hempstead	27	Sevier	32
Hot Spring	27	Sharp	7
Howard	27	Stone	34
Independence	7	Union	25
Izard	34	Van Buren	33
Jackson	7	Washington	34
Jefferson	25	White	7
Johnson	33	Woodruff	7
Lafayette	27	Yell	33
Lawrence	7		

## ARIZONA

Apache	16	Mohave	16
Cochise	16	Navajo	16
Coconino	16	Pima	16
Gila	16	Pinal	16
Graham	16	Santa Cruz	16
Greenlee	16	Yavapai	16
Maricopa	16	Yuma	16

## CALIFORNIA

Alameda	14	Orange	14
Alpine	16	Placer	44
Amador	44	Plumas	44
Butte	44	Riverside	14
Calaveras	44	Sacramento	44
Colusa	44	San Benito	14
Contra Costa	14	San Bernardino	14
Del Norte	44	San Diego	14
El Dorado	44	San Francisco	14
Fresno	44	San Joaquin	44
Glenn	44	San Luis Obispo	44
Humboldt	44	San Mateo	44
Imperial	14	Santa Barbara	14
Inyo	14	Santa Clara	14
Kern	44	Santa Cruz	14
Kings	44	Shasta	44
Lake	44	Sierra	44
Lassen	44	Siskiyou	44
Los Angeles	14	Solano	14
Madera	44	Sonoma	14
Marin	14	Stanislaus	44
Mariposa	44	Sutter	44
Mendocino	44	Tehama	44
Merced	44	Trinity	44
Modoc	44	Tulare	44
Mono	16	Tuolumne	44
Monterey	14	Ventura	14
Napa	14	Yolo	44
Nevada	44	Yuba	44

## COLORADO

Adams	10	Cheyenne	7
Alamosa	13	Clear Creek	13
Arapahoe	10	Conejos	13
Archuleta	13	Costilla	13
Baca	8	Crowley	8
Bent	8	Custer	10
Boulder	13	Delta	13
Chaffee	13	Denver	10

## COLORADO—continued

	Zone		Zone
Dolores	13	Moffat	13
Douglas	10	Montezuma	13
Eagle	13	Montrose	13
Elbert	8	Morgan	8
El Paso	10	Otero	8
Fremont	10	Ouray	13
Garfield	13	Park	13
Gilpin	13	Phillips	7
Grand	13	Pitkin	13
Gunnison	13	Prowers	7
Hinsdale	13	Pueblo	10
Huerfano	10	Rio Blanco	13
Jackson	13	Rio Grande	13
Jefferson	10	Routt	13
Kiowa	7	Saguache	13
Kit Carson	7	San Juan	13
Lake	13	San Miguel	13
La Plata	13	Sedgwick	7
Larimer	10	Summit	13
Las Animas	10	Teller	10
Lincoln	8	Washington	8
Logan	8	Weld	10
Mesa	13	Yuma	7
Mineral	13		

## CONNECTICUT

Fairfield	14	New Haven	14
Hartford	14	New London	14
Litchfield	14	Tolland	14
Middlesex	14	Windham	14

## DELAWARE

Kent	14	Sussex	14
New Castle	14		

## DISTRICT OF COLUMBIA

Washington	13
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## FLORIDA

Alachua	17	Lake	17
Baker	16	Lee	17B
Bay	15	Leon	16
Bradford	17	Levy	17
Brevard	17A	Liberty	16
Broward	17C	Madison	16
Calhoun	15	Manatee	17B
Charlotte	17B	Marion	17
Citrus	17	Martin	17B
Clay	17	Monroe	17C
Collier	17C	Nassau	17
Columbia	16	Okaloosa	15
Dade	17C	Okeechobee	17B
De Soto	17B	Orange	17A
Dixie	17	Osceola	17A
Duval	17	Palm Beach	17B
Escambia	15	Pasco	17A
Flagler	17	Pinellas	17A
Franklin	16	Polk	17A
Gadsden	15	Putnam	17
Gilchrist	17	St. Johns	17
Glades	17B	St. Lucie	17B
Gulf	16	Santa Rosa	15
Hamilton	16	Sarasota	17B
Hardee	17B	Seminole	17A
Hendry	17B	Sumter	17
Hernando	17	Suwannee	16
Highlands	17B	Taylor	16
Hillsborough	17A	Union	17
Holmes	15	Volusia	17
Indian River	17B	Wakulla	16
Jackson	15	Walton	15
Jefferson	16	Washington	15
Lafayette	17		

## GEORGIA

Appling	16	Brooks	16
Atkinson	16	Bryan	17
Bacon	16	Bullock	16
Baker	15	Burke	15
Baldwin	15	Butts	18
Banks	15	Calhoun	15
Barrow	18	Camden	17
Bartow	18	Candler	16
Ben Hill	15	Carroll	18
Berrien	16	Catoosa	19
Bibb	15	Charlton	16
Bleckley	15	Chatham	17
Brantley	16	Chattahoochee	18

## GEORGIA—continued

	Zone		Zone
Chattooga	19	McDuffie	15
Cherokee	18	McIntosh	17
Clarke	15	Macon	15
Clay	15	Madison	15
Clayton	18	Marion	15
Clinch	16	Meriwether	18
Cobb	18	Miller	15
Coffee	16	Mitchell	15
Colquitt	15	Monroe	15
Columbia	15	Montgomery	16
Cook	16	Morgan	15
Coweta	18	Murray	19
Crawford	15	Muscogee	18
Crisp	15	Newton	15
Dade	19	Oconee	15
Dawson	18	Oglethorpe	15
Decatur	15	Paulding	18
DeKalb	18	Peach	15
Dodge	15	Pickens	18
Dooley	15	Pierce	16
Dougherty	15	Pike	18
Douglas	18	Polk	18
Early	15	Pulaski	15
Echols	16	Putnam	15
Effingham	16	Quitman	15
Elbert	15	Rabun	18
Emanuel	16	Randolph	15
Evans	16	Richmond	15
Fannin	18	Rockdale	15
Fayette	18	Schley	15
Floyd	19	Screven	16
Forsyth	18	Seminole	15
Franklin	15	Spalding	18
Fulton	18	Stephens	15
Gilmer	18	Stewart	15
Glascock	15	Sumter	15
Glynn	17	Talbot	15
Gordon	19	Taliaferro	15
Grady	15	Tattall	16
Greene	15	Taylor	15
Gwinnett	18	Telfair	16
Habersham	15	Terrell	15
Hall	18	Thomas	15
Hancock	15	Tift	15
Haralson	18	Toombs	16
Harris	18	Towns	18
Hart	15	Treutlen	16
Heard	18	Troup	18
Henry	18	Turner	15
Houston	15	Twiggs	15
Irwin	15	Union	18
Jackson	18	Upson	15
Jasper	15	Walker	19
Jeff Davis	16	Walton	15
Jefferson	15	Ware	16
Jenkins	15	Warren	15
Johnson	15	Washington	15
Jones	15	Wayne	16
Lamar	18	Webster	15
Lanier	16	Wheeler	16
Laurens	15	White	18
Lee	15	Whitfield	19
Liberty	17	Wilcox	15
Lincoln	15	Wilkes	15
Long	16	Wilkinson	15
Lowndes	16	Worth	15
Lumpkin	18		

## IDAHO

Ada	11	Franklin	11
Adams	11	Freemont	11
Bannock	11	Gem	11
Bear Lake	11	Gooding	11
Benewah	44	Idaho	44
Bingham	11	Jefferson	11
Blaine	11	Jerome	11
Boise	11	Kootenai	44
Bonner	44	Latah	44
Bonneville	11	Lemhi	11
Boundary	44	Lewis	44
Butte	11	Lincoln	11
Camas	11	Madison	11
Canyon	11	Minidoka	11
Caribou	11	Nez Perce	44
Cassia	11	Oneida	11
Clark	11	Owyhee	11
Clearwater	44	Payette	11
Custer	11	Power	11
Elmore	11	Shoshone	44



## IDAHO—continued

Zone	Zone
Teton .....	11
Twin Falls .....	11
Valley .....	11

## ILLINOIS

Adams .....	5	Lee .....	6
Alexander .....	7	Livingston .....	6
Bond .....	5	Logan .....	6
Boone .....	6	McDonough .....	5
Brown .....	5	McHenry .....	6
Bureau .....	6	McLean .....	6
Calhoun .....	5	Macon .....	6
Carroll .....	5	Macoupin .....	5
Cass .....	5	Madison .....	5
Champaign .....	6	Marion .....	5
Christian .....	6	Marshall .....	6
Clark .....	6	Mason .....	5
Clay .....	6	Massac .....	7
Clinton .....	5	Menard .....	5
Coles .....	6	Mercer .....	5
Cook .....	7	Monroe .....	5
Crawford .....	6	Montgomery .....	5
Cumberland .....	6	Morgan .....	5
De Kalb .....	6	Moultrie .....	6
De Witt .....	6	Ogle .....	6
Douglas .....	6	Peoria .....	6
Du Page .....	6	Perry .....	5
Edgar .....	6	Platt .....	6
Edwards .....	6	Pike .....	5
Effingham .....	6	Pope .....	7
Fayette .....	5	Pulaski .....	7
Ford .....	6	Putnam .....	6
Franklin .....	6	Randolph .....	5
Fulton .....	5	Richland .....	6
Gallatin .....	7	Rock Island .....	5
Greene .....	5	St. Clair .....	5
Grundy .....	6	Saline .....	7
Hamilton .....	6	Sangamon .....	6
Hancock .....	5	Schuyler .....	5
Hardin .....	7	Scott .....	5
Henderson .....	5	Shelby .....	6
Henry .....	5	Stark .....	6
Iroquois .....	6	Stephenson .....	5
Jackson .....	6	Tazewell .....	6
Jasper .....	6	Union .....	6
Jefferson .....	5	Vermillion .....	6
Jersey .....	5	Wabash .....	6
Jo Daviess .....	5	Warren .....	5
Johnson .....	7	Washington .....	5
Kane .....	6	Wayne .....	6
Kankakee .....	6	White .....	6
Kendall .....	6	Whiteside .....	5
Knox .....	5	Will .....	6
Lake .....	7	Williamson .....	6
La Salle .....	6	Winnebago .....	6
Lawrence .....	6	Woodford .....	6

## INDIANA

Adams .....	9	Hendricks .....	8
Allen .....	9	Henry .....	9
Bartholomew .....	9	Howard .....	8
Benton .....	8	Huntington .....	9
Blackford .....	9	Jackson .....	9
Boone .....	8	Jasper .....	8
Brown .....	8	Jay .....	9
Carroll .....	8	Jefferson .....	9
Cass .....	8	Jennings .....	9
Clark .....	9	Johnson .....	9
Clay .....	8	Knox .....	8
Clinton .....	8	Kosciusko .....	9
Crawford .....	8	Lagrange .....	9
Daviess .....	8	Lake .....	7
Dearborn .....	9	La Porte .....	8
Decatur .....	9	Lawrence .....	8
De Kalb .....	9	Madison .....	9
Delaware .....	9	Marion .....	8
Dubois .....	8	Marshall .....	8
Elkhart .....	9	Martin .....	8
Fayette .....	9	Miami .....	8
Floyd .....	9	Monroe .....	8
Fountain .....	8	Montgomery .....	8
Franklin .....	9	Morgan .....	8
Fulton .....	8	Newton .....	8
Gibson .....	8	Noble .....	9
Grant .....	9	Ohio .....	9
Greene .....	8	Orange .....	8
Hamilton .....	8	Owen .....	8
Hancock .....	9	Parke .....	8
Harrison .....	9	Perry .....	8

## INDIANA—continued

Zone	Zone
Pike .....	8
Porter .....	8
Posey .....	8
Pulaski .....	8
Putnam .....	8
Randolph .....	9
Ripley .....	9
Rush .....	9
St. Joseph .....	9
Scott .....	9
Shelby .....	9
Spencer .....	8
Starke .....	8
Steuben .....	9
Sullivan .....	8

## IOWA

Adair .....	3	Jefferson .....	5
Adams .....	3	Johnson .....	4
Allamakee .....	4	Jones .....	5
Appanoose .....	4	Keokuk .....	4
Audubon .....	3	Kossuth .....	3
Benton .....	4	Lee .....	5
Black Hawk .....	4	Linn .....	4
Boone .....	3	Louisa .....	5
Bremer .....	4	Lucas .....	4
Buchanan .....	4	Lyon .....	2
Buena Vista .....	3	Madison .....	3
Butler .....	4	Marshall .....	4
Calhoun .....	3	Marion .....	4
Carroll .....	3	Marshall .....	4
Cass .....	3	Mills .....	2
Cedar .....	5	Mitchell .....	4
Cerro Gordo .....	4	Monona .....	2
Cherokee .....	2	Monroe .....	4
Chickasaw .....	4	Montgomery .....	2
Clarke .....	4	Muscatine .....	5
Clay .....	3	O'Brien .....	2
Clayton .....	5	Osceola .....	2
Clinton .....	5	Page .....	2
Crawford .....	2	Palo Alto .....	3
Dallas .....	3	Plymouth .....	2
Davis .....	5	Pocahontas .....	3
Decatur .....	4	Polk .....	4
Delaware .....	5	Pottawattamie .....	2
Des Moines .....	5	Poweshiek .....	4
Dickinson .....	2	Ringgold .....	3
Dubuque .....	5	Sac .....	3
Emmet .....	3	Scott .....	5
Fayette .....	4	Shelby .....	2
Floyd .....	4	Sioux .....	2
Franklin .....	4	Story .....	3
Fremont .....	2	Tama .....	4
Greene .....	3	Taylor .....	3
Grundy .....	4	Union .....	3
Guthrie .....	3	Van Buren .....	5
Hamilton .....	3	Wapello .....	5
Harrison .....	2	Warren .....	4
Hardin .....	4	Washington .....	5
Harrison .....	2	Wayne .....	4
Henry .....	5	Webster .....	3
Howard .....	4	Winnebago .....	3
Humboldt .....	3	Winneshiek .....	4
Ida .....	2	Woodbury .....	2
Iowa .....	4	Worth .....	3
Jackson .....	5	Wright .....	3
Jasper .....	4		

## KANSAS

Allen .....	3	Dickinson .....	2
Anderson .....	3	Doniphan .....	2
Atchison .....	2	Douglas .....	3
Barber .....	2	Edwards .....	1
Barton .....	1	Elk .....	2
Bourbon .....	3	Ellis .....	1
Brown .....	2	Ellsworth .....	1
Butler .....	2	Finney .....	1
Chase .....	2	Ford .....	1
Chautauqua .....	2	Franklin .....	3
Cherokee .....	3	Geary .....	2
Cheyenne .....	3	Gove .....	1
Clark .....	2	Graham .....	1
Clay .....	2	Grant .....	3
Cloud .....	2	Gray .....	1
Coffey .....	2	Greeley .....	3
Comanche .....	2	Greenwood .....	2
Cowley .....	2	Hamilton .....	3
Crawford .....	3	Harper .....	1
Decatur .....	1	Harvey .....	2

## KANSAS—continued

Zone	Zone
Haskell .....	2
Hodgeman .....	1
Jackson .....	2
Jefferson .....	2
Jewell .....	1
Johnson .....	3
Kearny .....	3
Kingman .....	1
Kiowa .....	1
Labette .....	3
Lane .....	1
Leavenworth .....	3
Lincoln .....	1
Linn .....	3
Logan .....	1
Lyon .....	2
McPherson .....	1
Marion .....	2
Marshall .....	2
Meade .....	2
Miami .....	3
Mitchell .....	1
Montgomery .....	2
Morris .....	2
Morton .....	3
Nemaha .....	2
Neosho .....	3
Ness .....	1
Norton .....	1
Osage .....	2
Osborne .....	1
Ottawa .....	1
Pawnee .....	1

## KENTUCKY

Adair .....	12	Jackson .....	12
Allen .....	12	Jefferson .....	10
Anderson .....	11	Jessamine .....	11
Ballard .....	9	Johnson .....	13
Barren .....	11	Kenton .....	10
Bath .....	11	Knott .....	13
Bell .....	12	Knox .....	12
Boone .....	10	Larue .....	11
Bourbon .....	11	Laurel .....	12
Boyd .....	11	Lawrence .....	12
Boyle .....	11	Lee .....	12
Bracken .....	10	Leslie .....	12
Breathitt .....	12	Letcher .....	12
Breckinridge .....	10	Lewis .....	11
Bullitt .....	10	Lincoln .....	12
Butler .....	11	Livingston .....	10
Caldwell .....	11	Logan .....	11
Calloway .....	11	Lyon .....	11
Campbell .....	10	McCracken .....	9
Carlisle .....	9	McCreary .....	12
Carroll .....	10	McLean .....	10
Carter .....	11	Madison .....	11
Casey .....	12	Magoffin .....	13
Christian .....	11	Marion .....	11
Clark .....	11	Marshall .....	10
Clay .....	12	Martin .....	13
Clinton .....	12	Mason .....	11
Crittenden .....	10	Meade .....	10
Cumberland .....	12	Menifee .....	12
Daviess .....	10	Mercer .....	11
Edmonson .....	11	Metcalfe .....	12
Elliott .....	12	Monroe .....	12
Estill .....	12	Montgomery .....	11
Fayette .....	11	Morgan .....	12
Fleming .....	11	Muhlenberg .....	11
Floyd .....	13	Nelson .....	11
Franklin .....	11	Nicholas .....	11
Fulton .....	9	Ohio .....	10
Gallatin .....	10	Oldham .....	10
Garrard .....	11	Owen .....	10
Grant .....	10	Owsley .....	12
Graves .....	9	Pendleton .....	10
Grayson .....	11	Perry .....	12
Green .....	12	Pike .....	13
Greenup .....	11	Powell .....	12
Hancock .....	10	Pulaski .....	12
Hardin .....	10	Robertson .....	11
Harlan .....	13	Rockcastle .....	12
Harrison .....	11	Rowan .....	11
Hart .....	11	Russell .....	12
Henderson .....	10	Scott .....	11
Henry .....	10	Shelby .....	10
Hickman .....	9	Simpson .....	11
Hopkins .....	11	Spencer .....	10



## KENTUCKY—continued

Zone	Zone
Taylor ----- 12	Washington ----- 11
Todd ----- 11	Wayne ----- 12
Trigg ----- 11	Webster ----- 10
Trimble ----- 10	Whitley ----- 12
Union ----- 10	Wolfe ----- 12
Warren ----- 11	Woodford ----- 11

## LOUISIANA

Acadia ----- 23	Morehouse ----- 24
Allen ----- 23	Natchitoches ----- 28
Ascension ----- 23	Orleans ----- 21
Assumption ----- 23	Ouachita ----- 24
Avoyelles ----- 23	Plaquemines ----- 21
Beauregard ----- 28	Pointe Coupee ----- 23
Bienville ----- 28	Rapides ----- 26
Bossier ----- 27	Red River ----- 28
Caddo ----- 27	Richland ----- 24
Calcasieu ----- 29	Sabine ----- 28
Caldwell ----- 26	St. Bernard ----- 21
Cameron ----- 29	St. Charles ----- 21
Catahoula ----- 24	St. Helena ----- 21
Claiborne ----- 27	St. James ----- 23
Concordia ----- 24	St. John the Baptist ----- 21
De Soto ----- 28	St. Landry ----- 23
East Baton Rouge ----- 23	St. Martin ----- 23
East Carroll ----- 24	St. Mary ----- 23
East Feliciana ----- 23	St. Tammany ----- 21
Evangeline ----- 23	Tangipahoa ----- 21
Franklin ----- 24	Tensas ----- 24
Grant ----- 26	Terrebonne ----- 23
Iberia ----- 23	Union ----- 26
Iberville ----- 23	Vermilion ----- 23
Jackson ----- 26	Vernon ----- 28
Jefferson ----- 21	Washington ----- 21
Jefferson Davis ----- 23	Webster ----- 27
Lafayette ----- 23	West Baton Rouge ----- 23
Lafourche ----- 23	West Carroll ----- 24
La Salle ----- 26	West Feliciana ----- 23
Lincoln ----- 26	Winn ----- 26
Livingston ----- 21	
Madison ----- 24	

## MAINE

Androscoggin ----- 15	Oxford ----- 16
Aroostook ----- 16	Penobscot ----- 16
Cumberland ----- 15	Piscataquis ----- 16
Franklin ----- 16	Sagadahoc ----- 15
Hancock ----- 16	Somerset ----- 16
Kennebec ----- 16	Waldo ----- 16
Knox ----- 16	Washington ----- 16
Lincoln ----- 16	York ----- 15

## MARYLAND

Allegany ----- 13	Harford ----- 14
Anne Arundel ----- 13	Howard ----- 13
Baltimore ----- 13	Kent ----- 14
Baltimore City ----- 13	Montgomery ----- 13
Calvert ----- 13	Prince Georges ----- 13
Caroline ----- 14	Queen Annes ----- 14
Carroll ----- 13	St. Marys ----- 13
Cecil ----- 14	Somerset ----- 14
Charles ----- 13	Talbot ----- 14
Dorchester ----- 14	Washington ----- 13
Frederick ----- 13	Wicomico ----- 14
Garrett ----- 13	Worcester ----- 14

## MASSACHUSETTS

Barnstable ----- 15	Hampshire ----- 14
Berkshire ----- 14	Middlesex ----- 15
Bristol ----- 15	Nantucket ----- 15
Dukes ----- 15	Norfolk ----- 15
Essex ----- 15	Plymouth ----- 15
Franklin ----- 14	Suffolk ----- 15
Hampden ----- 14	Worcester ----- 15

## MICHIGAN

Alcona ----- 11	Branch ----- 10
Alger ----- 10	Calhoun ----- 10
Allegan ----- 10	Cass ----- 9
Alpena ----- 11	Charlevoix ----- 11
Antrim ----- 11	Cheboygan ----- 11
Arenac ----- 11	Chippewa ----- 10
Baraga ----- 10	Clare ----- 11
Barry ----- 10	Clinton ----- 10
Bay ----- 11	Crawford ----- 11
Benzie ----- 11	Delta ----- 10
Berrien ----- 9	Dickinson ----- 10

## MICHIGAN—continued

Zone	Zone
Eaton ----- 10	Mecosta ----- 11
Emmet ----- 11	Menominee ----- 10
Genesee ----- 11	Midland ----- 11
Gladwin ----- 11	Missaukee ----- 11
Gogebic ----- 10	Monroe ----- 10
Grand Traverse ----- 11	Montcalm ----- 10
Gratiot ----- 11	Montmorency ----- 11
Hillsdale ----- 10	Muskegon ----- 10
Houghton ----- 10	Newaygo ----- 10
Huron ----- 11	Oakland ----- 11
Ingham ----- 10	Oceana ----- 10
Ionia ----- 10	Ogemaw ----- 11
Iosco ----- 11	Ontnagon ----- 10
Iron ----- 10	Osceola ----- 11
Isabella ----- 11	Oscoda ----- 11
Jackson ----- 10	Otsego ----- 11
Kalamazoo ----- 10	Ottawa ----- 10
Kalkaska ----- 11	Presque Isle ----- 11
Kent ----- 10	Roscommon ----- 11
Keweenaw ----- 10	Saginaw ----- 11
Lake ----- 10	St. Clair ----- 11
Lapeer ----- 11	St. Joseph ----- 10
Leelanau ----- 11	Sanilac ----- 11
Lenawee ----- 10	Schoolcraft ----- 10
Livingston ----- 11	Shiawassee ----- 11
Luce ----- 10	Tuscola ----- 11
Mackinac ----- 10	Van Buren ----- 9
Macomb ----- 11	Washtenaw ----- 11
Manistee ----- 11	Wayne ----- 11
Marquette ----- 10	Wexford ----- 11
Mason ----- 10	

## MINNESOTA

Aitkin ----- 2	Marshall ----- 1
Anoka ----- 3	Martin ----- 3
Becker ----- 1	Meeker ----- 2
Beltrami ----- 1	Mille Lacs ----- 2
Benton ----- 2	Morrison ----- 2
Big Stone ----- 1	Mower ----- 4
Blue Earth ----- 3	Murray ----- 2
Brown ----- 2	Nicollet ----- 2
Carlton ----- 4	Nobles ----- 2
Carver ----- 3	Norman ----- 1
Cass ----- 1	Olmsted ----- 4
Chippewa ----- 2	Otter Tail ----- 1
Chisago ----- 3	Pennington ----- 1
Clay ----- 1	Pine ----- 4
Clearwater ----- 1	Pipestone ----- 2
Cook ----- 4	Polk ----- 1
Cottonwood ----- 2	Pope ----- 2
Crow Wing ----- 2	Ramsey ----- 3
Dakota ----- 3	Red Lake ----- 1
Dodge ----- 4	Redwood ----- 2
Douglas ----- 1	Renville ----- 2
Faribault ----- 3	Rice ----- 3
Fillmore ----- 4	Rock ----- 2
Freeborn ----- 3	Roseau ----- 1
Goodhue ----- 4	St. Louis ----- 4
Grant ----- 1	Scott ----- 3
Hennepin ----- 3	Sherburne ----- 2
Houston ----- 4	Sibley ----- 2
Hubbard ----- 1	Stearns ----- 2
Isanti ----- 3	Steele ----- 3
Itasca ----- 1	Stevens ----- 2
Jackson ----- 2	Swift ----- 2
Kanabec ----- 2	Todd ----- 2
Kandiyohi ----- 2	Traverse ----- 1
Kittson ----- 1	Wabasha ----- 4
Koochiching ----- 1	Wadena ----- 2
Lac qui Parle ----- 1	Waseca ----- 3
Lake ----- 4	Washington ----- 3
Lake of the Woods ----- 1	Watsonwan ----- 2
Le Sueur ----- 3	Wilkin ----- 1
Lincoln ----- 2	Winona ----- 4
Lyon ----- 2	Wright ----- 3
McLeod ----- 2	Yellow ----- 3
Mahnomen ----- 1	Medicine ----- 2

## MISSISSIPPI

Adams ----- 22	Choctaw ----- 20
Alcorn ----- 20	Claiborne ----- 22
Amite ----- 20	Clarke ----- 19
Attala ----- 20	Clay ----- 20
Benton ----- 22	Coahoma ----- 25
Bolivar ----- 24	Copiah ----- 20
Calhoun ----- 20	Covington ----- 20
Carroll ----- 22	De Soto ----- 25
Chickasaw ----- 20	Forrest ----- 19

## MISSISSIPPI—continued

Zone	Zone
Franklin ----- 22	Newton ----- 19
George ----- 19	Noxubee ----- 19
Greene ----- 19	Oktibbeha ----- 20
Grenada ----- 22	Panola ----- 22
Hancock ----- 19	Pearl River ----- 19
Harrison ----- 19	Perry ----- 19
Hinds ----- 20	Pike ----- 20
Holmes ----- 22	Pontotoc ----- 20
Humphreys ----- 22	Prentiss ----- 20
Issaquena ----- 24	Quitman ----- 22
Itawamba ----- 20	Rankin ----- 20
Jackson ----- 19	Scott ----- 20
Jasper ----- 19	Sharkey ----- 22
Jefferson ----- 22	Simpson ----- 20
Jefferson Davis ----- 20	Smith ----- 20
Jones ----- 19	Stone ----- 19
Kemper ----- 19	Sunflower ----- 22
Lafayette ----- 22	Tallahatchie ----- 22
Lamar ----- 19	Tate ----- 22
Lauderdale ----- 19	Tippah ----- 20
Lawrence ----- 20	Tishomingo ----- 20
Leake ----- 20	Tunica ----- 25
Lee ----- 20	Union ----- 20
Leflore ----- 22	Walshall ----- 20
Lincoln ----- 20	Warren ----- 22
Lowndes ----- 20	Washington ----- 24
Madison ----- 20	Wayne ----- 19
Marion ----- 20	Webster ----- 20
Marshall ----- 22	Wilkinson ----- 22
Monroe ----- 20	Winston ----- 19
Montgomery ----- 20	Yalobusha ----- 22
Neshoba ----- 19	Yazoo ----- 22

## MISSOURI

Adair ----- 5	Lewis ----- 5
Andrew ----- 3	Lincoln ----- 5
Atchison ----- 2	Linn ----- 4
Audrain ----- 5	Livingston ----- 4
Barry ----- 3	McDonald ----- 3
Barton ----- 3	Macon ----- 5
Bates ----- 3	Madison ----- 5
Benton ----- 4	Maries ----- 4
Bollinger ----- 5	Marion ----- 5
Boone ----- 4	Mercer ----- 4
Buchanan ----- 3	Miller ----- 4
Butler ----- 6	Mississippi ----- 7
Caldwell ----- 3	Moniteau ----- 4
Callaway ----- 4	Monroe ----- 5
Camden ----- 4	Montgomery ----- 5
Cape Girardeau ----- 6	Morgan ----- 4
Carroll ----- 4	New Madrid ----- 7
Carter ----- 5	Newton ----- 3
Cass ----- 3	Nodaway ----- 3
Cedar ----- 3	Oregon ----- 5
Chariton ----- 4	Osage ----- 4
Christian ----- 4	Ozark ----- 4
Clark ----- 5	Pemiscot ----- 7
Clay ----- 3	Perry ----- 6
Clinton ----- 3	Pettis ----- 4
Cole ----- 4	Phelps ----- 4
Cooper ----- 4	Pike ----- 5
Crawford ----- 5	Platte ----- 3
Dade ----- 3	Polk ----- 3
Dallas ----- 4	Pulaski ----- 4
Davless ----- 3	Putnam ----- 4
De Kalb ----- 3	Ralls ----- 5
Dent ----- 5	Randolph ----- 5
Douglas ----- 4	Ray ----- 3
Dunklin ----- 7	Reynolds ----- 5
Franklin ----- 4	Ripley ----- 5
Gasconade ----- 4	St. Charles ----- 5
Gentry ----- 3	St. Clair ----- 3
Greene ----- 4	St. Francois ----- 5
Grundy ----- 4	St. Genevieve ----- 5
Harrison ----- 3	St. Louis ----- 5
Henry ----- 3	St. Louis City ----- 5
Hickory ----- 4	Saline ----- 4
Holt ----- 3	Schuyler ----- 5
Howard ----- 4	Scotland ----- 5
Howell ----- 5	Scott ----- 7
Iron ----- 5	Shannon ----- 5
Jackson ----- 3	Shelby ----- 5
Jasper ----- 3	Stoddard ----- 6
Jefferson ----- 5	Stone ----- 4
Johnson ----- 3	Sullivan ----- 4
Knox ----- 5	Taney ----- 4
Laclede ----- 4	Texas ----- 5
Lafayette ----- 3	Vernon ----- 3
Lawrence ----- 3	Warren ----- 5



## MISSOURI—continued

Zone	Zone
Washington --- 5	Worth ----- 3
Wayne ----- 5	Wright ----- 4
Webster ----- 4	

## MONTANA

Beaverhead --- 44	Mineral ----- 44
Big Horn --- 11	Missoula ----- 44
Blaine ----- 9	Musselshell --- 11
Broadwater --- 11	Park ----- 11
Carbon ----- 11	Petroleum --- 11
Carter ----- 9	Phillips ----- 9
Cascade ----- 44	Pondera ----- 44
Chouteau --- 11	Powder River --- 9
Custer ----- 9	Powell ----- 44
Daniels ----- 9	Prairie ----- 9
Dawson ----- 9	Ravalli ----- 44
Deer Lodge --- 44	Richland ----- 9
Fallon ----- 9	Roosevelt --- 9
Fergus ----- 11	Rosebud ----- 9
Flathead --- 44	Sander ----- 44
Gallatin --- 11	Sheridan ----- 9
Garfield --- 9	Silver Bow --- 44
Glacier ----- 44	Stillwater --- 11
Golden Valley --- 11	Sweet Grass --- 11
Granite ----- 44	Teton ----- 44
Hill ----- 11	Toole ----- 44
Jefferson --- 44	Treasure ----- 11
Judith Basin --- 11	Valley ----- 9
Lake ----- 44	Wheatland --- 11
Lewis and Clark --- 44	Wibaux ----- 9
Liberty ----- 11	Yellowstone --- 11
Lincoln ----- 44	Yellowstone National Park (part) --- 11
McCone ----- 9	
Madison ----- 11	
Meagher ----- 11	

## NEBRASKA

Adams ----- 1	Jefferson ----- 2
Antelope ----- 1	Johnson ----- 2
Arthur ----- 3	Kearney ----- 1
Banner ----- 3	Keith ----- 3
Blaine ----- 1	Keyapaha ----- 1
Boone ----- 1	Kimball ----- 3
Box Butte ----- 3	Knox ----- 1
Boyd ----- 1	Lancaster ----- 2
Brown ----- 1	Lincoln ----- 1
Buffalo ----- 1	Logan ----- 1
Burt ----- 2	Loup ----- 1
Butler ----- 2	McPherson ----- 1
Cass ----- 2	Madison ----- 1
Cedar ----- 1	Merrick ----- 1
Chase ----- 3	Morrill ----- 3
Cherry ----- 1	Nance ----- 1
Cheyenne ----- 3	Nemaha ----- 2
Clay ----- 1	Nuckolls ----- 1
Colfax ----- 1	Otoe ----- 2
Cuming ----- 2	Pawnee ----- 2
Custer ----- 1	Perkins ----- 3
Dakota ----- 2	Phelps ----- 1
Dawes ----- 3	Pierce ----- 1
Dawson ----- 1	Platte ----- 1
Deuel ----- 3	Polk ----- 1
Dixon ----- 2	Redwillow ----- 1
Dodge ----- 2	Richardson ----- 2
Douglas ----- 2	Rock ----- 1
Dundy ----- 3	Saline ----- 2
Fillmore ----- 1	Sarpy ----- 2
Franklin ----- 1	Saunders ----- 2
Frontier ----- 1	Scotts Bluff ----- 3
Furnas ----- 1	Seward ----- 2
Gage ----- 2	Sheridan ----- 3
Garden ----- 3	Sherman ----- 1
Garfield ----- 1	Sioux ----- 3
Gosper ----- 1	Stanton ----- 1
Grant ----- 3	Thayer ----- 1
Greeley ----- 1	Thomas ----- 1
Hall ----- 1	Thurston ----- 2
Hamilton ----- 1	Valley ----- 1
Harlan ----- 1	Washington ----- 2
Hayes ----- 1	Wayne ----- 1
Hitchcock ----- 1	Webster ----- 1
Holt ----- 1	Wheeler ----- 1
Hooker ----- 1	York ----- 1
Howard ----- 1	

## NEVADA

Churchill ----- 16	Elko ----- 14
Clark ----- 14	Esmeralda ----- 16
Douglas ----- 16	Eureka ----- 14

## NEVADA—continued

Zone	Zone
Humboldt ----- 16	Ormsby ----- 16
Lander ----- 16	Pershing ----- 16
Lincoln ----- 14	Storey ----- 16
Lyon ----- 16	Washoe ----- 16
Mineral ----- 16	White Pine ----- 14
Nye ----- 16	

## NEW HAMPSHIRE

Belknap ----- 15	Hillsboro ----- 15
Carroll ----- 15	Merrimack ----- 15
Cheshire ----- 15	Rockingham ----- 15
Cocos ----- 15	Strafford ----- 15
Grafton ----- 15	Sullivan ----- 15

## NEW MEXICO

Bernalillo ----- 11	Mora ----- 11
Catron ----- 13	Otero ----- 11
Chaves ----- 11	Quay ----- 25
Colfax ----- 25	Rio Arriba ----- 11
Curry ----- 25	Roosevelt ----- 11
De Baca ----- 11	Sandoval ----- 11
Dona Ana ----- 13	San Juan ----- 13
Eddy ----- 11	San Miguel ----- 11
Grant ----- 13	Santa Fe ----- 11
Guadalupe ----- 11	Sierra ----- 13
Harding ----- 25	Socorro ----- 13
Hidalgo ----- 13	Taos ----- 11
Lea ----- 11	Torrance ----- 11
Lincoln ----- 11	Union ----- 8
Luna ----- 13	Valencia ----- 13
McKinley ----- 13	

## NEW JERSEY

Atlantic ----- 14	Middlesex ----- 14
Bergen ----- 14	Monmouth ----- 14
Burlington ----- 14	Morris ----- 14
Camden ----- 14	Ocean ----- 14
Cape May ----- 14	Passaic ----- 14
Cumberland ----- 14	Salem ----- 14
Essex ----- 14	Somerset ----- 14
Gloucester ----- 14	Sussex ----- 14
Hudson ----- 14	Union ----- 14
Hunterdon ----- 14	Warren ----- 14
Mercer ----- 14	

## NEW YORK

Albany ----- 14	Niagara ----- 12
Allegany ----- 13	Oneida ----- 13
Bronx ----- 14	Onondaga ----- 13
Broome ----- 13	Ontario ----- 13
Cattaraugus ----- 12	Orange ----- 14
Cayuga ----- 13	Orleans ----- 12
Chautauqua ----- 12	Oswego ----- 13
Chemung ----- 13	Otsego ----- 14
Chenango ----- 13	Putnam ----- 14
Clinton ----- 15	Queens ----- 14
Columbia ----- 14	Rensselaer ----- 14
Cortland ----- 13	Richmond ----- 14
Delaware ----- 14	Rockland ----- 14
Dutchess ----- 14	St. Lawrence ----- 14
Erie ----- 12	Saratoga ----- 14
Essex ----- 15	Schenectady ----- 14
Franklin ----- 14	Schoharie ----- 14
Fulton ----- 14	Schuyler ----- 13
Genesee ----- 12	Seneca ----- 13
Greene ----- 14	Steuben ----- 13
Hamilton ----- 14	Suffolk ----- 14
Herkimer ----- 14	Sullivan ----- 14
Jefferson ----- 13	Tioga ----- 13
Kings ----- 14	Tompkins ----- 13
Lewis ----- 13	Ulster ----- 14
Livingston ----- 13	Warren ----- 14
Madison ----- 13	Washington ----- 14
Monroe ----- 13	Wayne ----- 13
Montgomery ----- 14	Westchester ----- 14
Nassau ----- 14	Wyoming ----- 12
New York ----- 14	Yates ----- 13

## NORTH CAROLINA

Alamance ----- 15	Brunswick ----- 16
Alexander ----- 15	Buncombe ----- 18
Alleghany ----- 15	Burke ----- 15
Anson ----- 15	Cabarrus ----- 15
Ashe ----- 15	Caldwell ----- 15
Avery ----- 15	Camden ----- 15
Beaufort ----- 15	Carteret ----- 16
Bertie ----- 15	Caswell ----- 15
Bladen ----- 16	Catawba ----- 15

## NORTH CAROLINA—continued

Zone	Zone
Chatham ----- 15	Mecklenburg ----- 15
Cherokee ----- 18	Mitchell ----- 15
Chowan ----- 15	Montgomery ----- 15
Clay ----- 18	Moore ----- 15
Cleveland ----- 15	Nash ----- 15
Columbus ----- 16	New Hanover ----- 18
Craven ----- 16	Northampton ----- 15
Cumberland ----- 15	Onslow ----- 16
Currituck ----- 15	Orange ----- 15
Dare ----- 15	Pamlico ----- 16
Davidson ----- 15	Pasquotank ----- 15
Davie ----- 15	Pender ----- 16
Duplin ----- 16	Perquimans ----- 15
Durham ----- 15	Person ----- 15
Edgecombe ----- 15	Pitt ----- 15
Forsyth ----- 15	Polk ----- 18
Franklin ----- 15	Randolph ----- 15
Gaston ----- 15	Richmond ----- 15
Gates ----- 15	Robeson ----- 15
Graham ----- 18	Rockingham ----- 15
Granville ----- 15	Rowan ----- 15
Greene ----- 15	Rutherford ----- 15
Guilford ----- 15	Sampson ----- 16
Halifax ----- 15	Scotland ----- 15
Harnett ----- 15	Stanly ----- 15
Haywood ----- 18	Stokes ----- 15
Henderson ----- 18	Surry ----- 15
Hertford ----- 15	Swain ----- 18
Hoke ----- 15	Transylvania ----- 18
Hyde ----- 15	Tyrrell ----- 15
Iredell ----- 15	Union ----- 15
Jackson ----- 18	Vance ----- 15
Johnston ----- 15	Wake ----- 15
Jones ----- 16	Warren ----- 15
Lee ----- 15	Washington ----- 15
Lenoir ----- 15	Watauga ----- 15
Lincoln ----- 15	Wayne ----- 15
McDowell ----- 15	Wilkes ----- 15
Macon ----- 18	Wilson ----- 15
Madison ----- 18	Yadkin ----- 15
Martin ----- 15	Yancey ----- 15

## NORTH DAKOTA

Adams ----- 3	McLean ----- 1
Barnes ----- 1	Mercer ----- 1
Benson ----- 1	Morton ----- 1
Billings ----- 3	Mountrail ----- 3
Bottineau ----- 1	Nelson ----- 1
Bowman ----- 3	Oliver ----- 1
Burke ----- 3	Pembina ----- 1
Burleigh ----- 1	Pierce ----- 1
Cass ----- 1	Ramsey ----- 1
Cavaller ----- 1	Ransom ----- 1
Dickey ----- 1	Renville ----- 1
Divide ----- 3	Richland ----- 1
Dunn ----- 3	Rolette ----- 1
Eddy ----- 1	Sargent ----- 1
Emmons ----- 1	Sheridan ----- 1
Foster ----- 1	Sioux ----- 1
Golden Valley ----- 3	Slope ----- 3
Grand Forks ----- 1	Stark ----- 3
Grant ----- 1	Steele ----- 1
Griggs ----- 1	Stutsman ----- 1
Hettinger ----- 3	Towner ----- 1
Kidder ----- 1	Traill ----- 1
La Moure ----- 1	Walsh ----- 1
Logan ----- 1	Ward ----- 1
McHenry ----- 1	Wells ----- 1
McIntosh ----- 1	Williams ----- 3
McKenzie ----- 3	

## OHIO

Adams ----- 11	Cuyahoga ----- 11
Allen ----- 10	Darke ----- 10
Ashland ----- 11	Defiance ----- 10
Ashtabula ----- 11	Delaware ----- 11
Athens ----- 11	Erie ----- 11
Auglaize ----- 10	Fairfield ----- 11
Belmont ----- 11	Fayette ----- 10
Brown ----- 10	Franklin ----- 11
Butler ----- 10	Fulton ----- 10
Carroll ----- 11	Gallia ----- 11
Champaign ----- 10	Geauga ----- 11
Clark ----- 10	Greene ----- 10
Clermont ----- 10	Guernsey ----- 11
Clinton ----- 10	Hamilton ----- 10
Columbiana ----- 11	Hancock ----- 10
Coshocton ----- 11	Hardin ----- 10
Crawford ----- 11	Harrison ----- 11



## OHIO—continued

Zone	Zone
Henry ----- 10	Ottawa ----- 11
Highland ----- 10	Paulding ----- 10
Hocking ----- 11	Perry ----- 11
Holmes ----- 11	Pickaway ----- 11
Huron ----- 11	Pike ----- 11
Jackson ----- 11	Portage ----- 11
Jefferson ----- 11	Preble ----- 10
Knox ----- 11	Putnam ----- 10
Lake ----- 11	Richland ----- 11
Lawrence ----- 11	Ross ----- 11
Licking ----- 11	Sandusky ----- 11
Logan ----- 10	Scioto ----- 11
Lorain ----- 11	Seneca ----- 11
Lucas ----- 10	Shelby ----- 10
Madison ----- 10	Stark ----- 11
Mahoning ----- 11	Summit ----- 11
Marion ----- 11	Trumbull ----- 11
Medina ----- 11	Tuscarawas ----- 11
Meigs ----- 11	Union ----- 10
Mercer ----- 10	Van Wert ----- 10
Miami ----- 10	Vinton ----- 11
Monroe ----- 11	Warren ----- 10
Montgomery ----- 10	Washington ----- 11
Morgan ----- 11	Wayne ----- 11
Morrow ----- 11	Williams ----- 10
Muskingum ----- 11	Wood ----- 10
Noble ----- 11	Wyandot ----- 11

## OKLAHOMA

Adair ----- 34	Le Flore ----- 34
Alfalfa ----- 36	Lincoln ----- 35
Atoka ----- 33	Logan ----- 36
Beaver ----- 37	Love ----- 38
Beckham ----- 33	McClain ----- 38
Blaine ----- 37	McCurain ----- 33
Bryan ----- 33	McIntosh ----- 35
Caddo ----- 38	Major ----- 37
Canadian ----- 38	Marshall ----- 38
Carter ----- 38	Mayes ----- 35
Cherokee ----- 35	Murray ----- 38
Choctaw ----- 33	Muskogee ----- 35
Cimarron ----- 8	Noble ----- 38
Cleveland ----- 35	Nowata ----- 35
Coal ----- 38	Oklfuskee ----- 35
Comanche ----- 38	Oklahoma ----- 36
Cotton ----- 38	Oklmulgee ----- 35
Craig ----- 35	Osage ----- 36
Creek ----- 35	Ottawa ----- 35
Custer ----- 37	Pawnee ----- 36
Delaware ----- 35	Payne ----- 36
Dewey ----- 37	Pittsburg ----- 34
Ellis ----- 37	Pontotoc ----- 38
Garfield ----- 36	Pottawatomie ----- 35
Garvin ----- 38	Pushmataha ----- 33
Grady ----- 38	Roger Mills ----- 34
Grant ----- 36	Rogers ----- 35
Greer ----- 33	Seminole ----- 35
Harmon ----- 33	Sequoyah ----- 34
Harper ----- 37	Stephens ----- 38
Haskell ----- 34	Texas ----- 34
Hughes ----- 35	Tillman ----- 38
Jackson ----- 33	Tulsa ----- 35
Jefferson ----- 38	Wagoner ----- 35
Johnston ----- 38	Washington ----- 35
Key ----- 36	Washita ----- 38
Kingfisher ----- 36	Woods ----- 37
Kiowa ----- 38	Woodward ----- 37
Latimer ----- 34	

## OREGON

Baker ----- 44	Lake ----- 44
Benton ----- 44	Lane ----- 44
Clackamas ----- 14	Lincoln ----- 44
Clatsop ----- 14	Linn ----- 44
Columbia ----- 14	Malheur ----- 11
Coos ----- 44	Marion ----- 14
Crook ----- 44	Morrow ----- 44
Curry ----- 44	Multnomah ----- 14
Deschutes ----- 44	Polk ----- 44
Douglas ----- 44	Sherman ----- 44
Gilliam ----- 44	Tillamook ----- 14
Grant ----- 44	Umatilla ----- 44
Harney ----- 11	Union ----- 44
Hood River ----- 14	Wallowa ----- 44
Jackson ----- 44	Wasco ----- 44
Jefferson ----- 44	Washington ----- 14
Josephine ----- 44	Wheeler ----- 44
Klamath ----- 44	Yamhill ----- 44

## PENNSYLVANIA

Zone	Zone
Adams ----- 13	Lackawanna ----- 13
Allegheny ----- 12	Lancaster ----- 13
Armstrong ----- 12	Lawrence ----- 11
Beaver ----- 11	Lebanon ----- 13
Bedford ----- 13	Lehigh ----- 14
Berks ----- 13	Luzerne ----- 13
Blair ----- 13	Lycoming ----- 13
Bradford ----- 13	McKean ----- 12
Bucks ----- 14	Mercer ----- 11
Butler ----- 12	Mifflin ----- 13
Cambria ----- 12	Monroe ----- 13
Cameron ----- 13	Montgomery ----- 14
Carbon ----- 13	Montour ----- 13
Centre ----- 13	Northampton ----- 14
Chester ----- 13	Northumber-
Clarion ----- 12	land ----- 13
Clearfield ----- 12	Perry ----- 13
Clinton ----- 13	Philadelphia ----- 14
Columbia ----- 13	Pike ----- 13
Crawford ----- 11	Potter ----- 13
Cumberland ----- 13	Schuylkill ----- 13
Dauphin ----- 13	Snyder ----- 13
Delaware ----- 14	Somerset ----- 12
Elk ----- 12	Sullivan ----- 13
Erie ----- 11	Susquehanna ----- 13
Fayette ----- 12	Tioga ----- 13
Forest ----- 12	Union ----- 13
Franklin ----- 13	Venango ----- 12
Fulton ----- 13	Warren ----- 12
Greene ----- 12	Washington ----- 12
Huntingdon ----- 13	Wayne ----- 13
Indiana ----- 12	Westmoreland ----- 12
Jefferson ----- 12	Wyoming ----- 13
Juniata ----- 13	York ----- 13

## RHODE ISLAND

Bristol ----- 15	Providence ----- 15
Kent ----- 15	Washington ----- 15
Newport ----- 15	

## SOUTH CAROLINA

Abbeville ----- 15	Greenwood ----- 15
Alken ----- 15	Hampton ----- 16
Allendale ----- 16	Horry ----- 16
Anderson ----- 15	Jasper ----- 16
Bamberg ----- 16	Kershaw ----- 15
Barnwell ----- 16	Lancaster ----- 15
Beaufort ----- 16	Laurens ----- 15
Berkeley ----- 16	Lee ----- 16
Calhoun ----- 16	Lexington ----- 15
Charleston ----- 16	McCormick ----- 15
Cherokee ----- 15	Marion ----- 16
Chester ----- 15	Marlboro ----- 16
Chesterfield ----- 15	Newberry ----- 15
Clarendon ----- 16	Oconee ----- 15
Colleton ----- 16	Orangeburg ----- 16
Darlington ----- 16	Pickens ----- 15
Dillon ----- 16	Richland ----- 15
Dorchester ----- 16	Saluda ----- 15
Edgefield ----- 15	Spartanburg ----- 15
Fairfield ----- 15	Sumter ----- 16
Florence ----- 16	Union ----- 15
Georgetown ----- 16	Williamsburg ----- 16
Greenville ----- 15	York ----- 15

## SOUTH DAKOTA

Armstrong ----- 1	Edmunds ----- 1
Aurora ----- 1	Fall River ----- 3
Beadle ----- 1	Faulk ----- 1
Bennett ----- 1	Grant ----- 1
Bon Homme ----- 1	Gregory ----- 1
Brookings ----- 1	Haakon ----- 1
Brown ----- 1	Hamlin ----- 1
Brule ----- 1	Hand ----- 1
Buffalo ----- 1	Hanson ----- 1
Butte ----- 3	Harding ----- 3
Campbell ----- 1	Hughes ----- 1
Charles Mix ----- 1	Hutchinson ----- 1
Clark ----- 1	Hyde ----- 1
Clay ----- 2	Jackson ----- 1
Codington ----- 1	Jerauld ----- 1
Corson ----- 1	Jones ----- 1
Custer ----- 3	Kingsbury ----- 1
Davidson ----- 1	Lake ----- 1
Day ----- 1	Lawrence ----- 3
Deuel ----- 1	Lincoln ----- 2
Dewey ----- 1	Lyman ----- 1
Douglas ----- 1	McCook ----- 1

## SOUTH DAKOTA—continued

Zone	Zone
McPherson ----- 1	Spink ----- 1
Marshall ----- 1	Stanley ----- 1
Meade ----- 3	Sully ----- 1
Mellette ----- 1	Todd ----- 1
Miner ----- 1	Tripp ----- 1
Minnehaha ----- 2	Turner ----- 1
Moody ----- 1	Union ----- 2
Pennington ----- 3	Walworth ----- 1
Perkins ----- 3	Washabaugh ----- 1
Potter ----- 1	Washington ----- 3
Roberts ----- 1	Yankton ----- 1
Sanborn ----- 1	Ziebach ----- 1
Shannon ----- 3	

## TENNESSEE

Anderson ----- 19	Lauderdale ----- 9
Bedford ----- 20	Lawrence ----- 20
Benton ----- 22	Lewis ----- 20
Bledsoe ----- 19	Lincoln ----- 20
Blount ----- 19	Loudon ----- 19
Bradley ----- 19	McMinn ----- 19
Campbell ----- 19	McNairy ----- 22
Cannon ----- 20	Macon ----- 20
Carroll ----- 22	Madison ----- 22
Carter ----- 15	Marion ----- 19
Cheatham ----- 22	Marshall ----- 20
Chester ----- 22	Maury ----- 20
Claiborne ----- 19	Meigs ----- 19
Clay ----- 20	Monroe ----- 19
Cocke ----- 19	Montgomery ----- 22
Coffee ----- 20	Moore ----- 20
Crockett ----- 22	Morgan ----- 19
Cumberland ----- 19	Obion ----- 9
Davidson ----- 22	Overton ----- 20
Decatur ----- 22	Perry ----- 23
De Kalb ----- 20	Pickett ----- 20
Dickson ----- 22	Polk ----- 19
Dyer ----- 9	Putnam ----- 20
Fayette ----- 22	Rhea ----- 19
Fentress ----- 20	Roane ----- 19
Franklin ----- 19	Robertson ----- 22
Gibson ----- 22	Rutherford ----- 20
Giles ----- 20	Scott ----- 19
Grainger ----- 19	Sequatchie ----- 19
Greene ----- 18	Sevier ----- 9
Grundy ----- 19	Shelby ----- 19
Hamblen ----- 19	Smith ----- 20
Hamilton ----- 19	Stewart ----- 22
Hancock ----- 19	Sullivan ----- 18
Hardeman ----- 22	Sumner ----- 22
Hardin ----- 20	Tipton ----- 9
Hawkins ----- 19	Trousdale ----- 20
Haywood ----- 22	Unicoi ----- 15
Henderson ----- 22	Union ----- 19
Henry ----- 22	Van Buren ----- 19
Hickman ----- 22	Warren ----- 20
Houston ----- 22	Washington ----- 18
Humphreys ----- 22	Wayne ----- 20
Jackson ----- 20	Weakley ----- 22
Jefferson ----- 19	White ----- 20
Johnson ----- 15	Williamson ----- 22
Knox ----- 19	Wilson ----- 20
Lake ----- 9	

## TEXAS

Anderson ----- 31	Brooks ----- 41
Andrews ----- 40	Brown ----- 40
Angelina ----- 28	Burleson ----- 40
Arañas ----- 41	Burnet ----- 40
Archer ----- 39	Caldwell ----- 41
Armstrong ----- 33	Calhoun ----- 41
Atascosa ----- 41	Callahan ----- 40
Austin ----- 41	Cameron ----- 41
Bailey ----- 25	Camp ----- 27
Bandera ----- 41	Carson ----- 33
Bastrop ----- 41	Cass ----- 27
Baylor ----- 39	Castro ----- 25
Bee ----- 41	Chambers ----- 30
Bell ----- 40	Cherokee ----- 31
Bexar ----- 41	Childress ----- 33
Blanco ----- 41	Clay ----- 33
Borden ----- 43	Cochran ----- 25
Bosque ----- 40	Coke ----- 40
Bowie ----- 32	Coleman ----- 40
Brazoria ----- 30	Collin ----- 33
Brazos ----- 40	Collingsworth ----- 33
Brewster ----- 42	Colorado ----- 41
Briscoe ----- 43	Comal ----- 41



## TEXAS—continued

Zone	Zone
Comanche	40
Concho	40
Cooke	38
Coryell	40
Cottle	32
Crane	40
Crockett	42
Crosby	43
Culberson	42
Dallam	8
Dallas	32
Dawson	43
Deaf Smith	25
Delta	33
Denton	32
De Witt	41
Dickens	32
Dimmit	41
Donley	33
Duval	41
Eastland	40
Ector	40
Edwards	41
Ellis	32
El Paso	42
Erath	40
Falls	40
Fannin	33
Fayette	41
Fisher	32
Floyd	43
Foard	39
Fort Bend	30
Franklin	32
Freestone	31
Frio	41
Gaines	25
Galveston	30
Garza	43
Gillespie	41
Glasscock	40
Goliad	41
Gonzales	41
Gray	33
Grayson	33
Gregg	27
Grimes	31
Guadalupe	41
Hale	43
Hall	33
Hamilton	40
Hansford	34
Hardeman	33
Hardin	29
Harris	30
Harrison	27
Hartley	8
Haskell	40
Hays	41
Hemphill	34
Henderson	32
Hidalgo	41
Hill	59
Hockley	25
Hood	39
Hopkins	32
Houston	31
Howard	40
Hudspeth	42
Hunt	33
Hutchinson	34
Irion	40
Jack	39
Jackson	41
Jasper	29
Jeff Davis	42
Jefferson	29
Jim Hogg	41
Jim Wells	41
Johnson	39
Jones	40
Karnes	41
Kaufman	32
Kendall	41
Kenedy	41
Kent	32
Kerr	41
Kimble	41
King	32
Kinney	41
Kieberg	41
Knox	40
Lamar	33
Lamb	25
Lampasas	40
La Salle	41
Lavaca	41
Lee	40
Leon	40
Liberty	30
Limestone	40
Lipscomb	84
Live Oak	41
Llano	41
Loving	40
Lubbock	43
Lynn	43
McCulloch	40
McLennan	39
McMullen	41
Madison	40
Marion	27
Martin	40
Mason	41
Matagorda	41
Maverick	41
Medina	41
Menard	41
Midland	40
Milam	40
Mills	40
Mitchell	32
Montague	38
Montgomery	31
Moore	34
Morris	27
Motley	43
Nacogdoches	28
Navarro	32
Newton	29
Nolan	32
Nueces	41
Ochiltree	34
Oldham	25
Orange	29
Palo Pinto	39
Panola	28
Parker	39
Parmer	25
Pecos	42
Polk	31
Potter	33
Presidio	42
Rains	32
Randall	43
Reagan	40
Real	41
Red River	32
Reeves	40
Refugio	41
Roberts	34
Robertson	40
Rockwall	32
Runnels	40
Rusk	27
Sabine	28
San Augustine	28
San Jacinto	31
San Patricio	41
San Saba	41
Schleicher	40
Scurry	32
Shackelford	40
Shelby	28
Sherman	34
Smith	27
Somervell	39
Starr	41
Stephens	40
Sterling	40
Stonewall	32
Sutton	41
Swisher	43
Tarrant	32
Taylor	40
Terrell	42

## TEXAS—continued

Zone	Zone
Terry	25
Throckmorton	39
Titus	32
Tom Green	40
Travis	40
Trinity	31
Tyler	28
Upshur	27
Upton	40
Uvalde	41
Val Verde	42
Van Zandt	32
Victoria	41
Walker	31
Waller	30
Ward	40
Washington	41
Webb	41
Wharton	41
Wheeler	33
Wichita	38
Wilbarger	39
Willacy	41
Williamson	40
Wilson	41
Winkler	40
Wise	39
Wood	32
Yoakum	25
Young	39
Zapata	41
Zavala	41

## UTAH

Zone	Zone
Beaver	13
Box Elder	11
Cache	11
Carbon	11
Daggett	11
Davis	11
Duchesne	11
Emery	13
Garfield	13
Grand	13
Iron	13
Juab	11
Kane	13
Millard	13
Morgan	11
Plute	13
Rich	11
Salt Lake	11
San Juan	13
Sanpete	11
Sevier	11
Summit	11
Tooele	11
Uintah	11
Utah	11
Wasatch	11
Washington	13
Wayne	13
Weber	11

## VERMONT

Zone	Zone
Addison	15
Bennington	15
Caledonia	15
Chittenden	15
Essex	15
Franklin	15
Grand Isle	15
Lamoille	15
Orange	15
Orleans	15
Rutland	15
Washington	15
Windham	15
Windsor	15

## VIRGINIA

Zone	Zone
Accomac	14
Albemarle	14
Alleghany	13
Amelia	14
Amherst	13
Appomattox	14
Arlington	13
Augusta	13
Bath	13
Bedford	13
Bland	13
Botetourt	13
Brunswick	14
Buchanan	13
Buckingham	14
Campbell	13
Caroline	14
Carroll	14
Charles City	14
Charlotte	14
Chesterfield	14
Clarke	13
Craig	13
Culpeper	14
Cumberland	14
Dickenson	13
Dinwiddie	14
Elizabeth City	15
Essex	14
Fairfax	13
Fauquier	14
Floyd	14
Fluvanna	14
Franklin	14
Frederick	13
Giles	13
Gloucester	14
Goochland	14
Grayson	14
Greene	13
Greensville	14
Halifax	14
Hanover	14
Henrico	14
Henry	14
Highland	13
Isle of Wight	15
James City	15
King and Queen	14
King George	14
King William	14
Lancaster	14
Lee	13
Loudoun	13
Louisa	14
Lunenburg	14
Madison	13
Mathews	14
Mecklenburg	14
Middlesex	14
Montgomery	13
Nansemond	15
Nelson	13
New Kent	14
Norfolk	15
Northampton	14
Northumberland	14
Nottoway	14
Orange	14
Page	13
Patrick	14
Pittsylvania	14
Powhatan	14
Prince Edward	14
Prince George	14
Princess Anne	15
Prince William	14
Pulaski	13
Rappahannock	13
Richmond	14
Roanoke	13
Rockbridge	13

## VIRGINIA—continued

Zone	Zone
Rockingham	13
Russell	13
Scott	13
Shenandoah	13
Smyth	13
Southampton	14
Spotsylvania	14
Stafford	14
Surry	15
Sussex	14
Tazewell	13
Warren	13
Warwick	15
Washington	18
Westmoreland	14
Wise	13
Wythe	13
York	15

## WASHINGTON

Zone	Zone
Adams	44
Asotin	44
Benton	44
Chelan	44
Clallam	14
Clarke	14
Columbia	44
Cowlitz	14
Douglas	44
Ferry	44
Franklin	44
Garfield	44
Grant	44
Grays Harbor	14
Island	14
Jefferson	14
King	14
Kitsap	14
Kittitas	44
Klickitat	44
Lewis	14
Lincoln	44
Mason	14
Okanogan	44
Pacific	14
Pend Oreille	44
Pierce	14
San Juan	14
Skagit	14
Skamania	14
Snohomish	14
Spokane	44
Stevens	44
Thurston	14
Wahkiakum	14
Walla Walla	44
Whatcom	14
Whitman	44
Yakima	44

## WEST VIRGINIA

Zone	Zone
Barbour	12
Berkeley	13
Boone	12
Braxton	12
Brooke	11
Cabell	11
Calhoun	12
Clay	12
Doddridge	12
Fayette	12
Gilmer	12
Grant	13
Greenbrier	13
Hampshire	13
Hancock	11
Hardy	13
Harrison	12
Jackson	11
Jefferson	13
Kanawha	12
Lewis	12
Lincoln	12
Logan	12
McDowell	12
Marion	12
Marshall	11
Mason	11
Mercer	12
Mineral	13
Mingo	12
Monongalia	12
Monroe	13
Morgan	13
Nicholas	12
Ohio	11
Pendleton	13
Pleasant	11
Pocahontas	13
Preston	12
Putnam	12
Raleigh	12
Randolph	12
Ritchie	12
Roane	12
Summers	12
Taylor	12
Tucker	12
Tyler	11
Upshur	12
Wayne	12
Webster	12
Wetzel	11
Wirt	11
Wood	11
Wyoming	12

## WISCONSIN

Zone	Zone
Adams	5
Ashland	6
Barron	4
Bayfield	6
Brown	6
Buffalo	4
Burnett	4
Calumet	6
Chippawa	4
Clark	4
Columbia	5
Crawford	5
Dane	6
Dodge	6
Door	6
Douglas	4
Dunn	4
Eau Claire	4
Florence	6
Fond du Lac	6
Forest	6
Grant	5
Green	6
Green Lake	5
Iowa	5
Iron	6
Jackson	4
Jefferson	6
Juneau	5
Kenosha	7
Kewaunee	6
La Crosse	4
Lafayette	5
Langlade	5
Lincoln	5
Manitowoc	6
Marathon	5
Marquette	5
Milwaukee	7
Monroe	4
Oconto	6
Oneida	5
Outagamie	5
Ozaukee	6
Pepin	4



## WISCONSIN—continued

Zone	Zone
Pierce ----- 4	Taylor ----- 4
Polk ----- 4	Trempealeau ----- 4
Portage ----- 5	Vernon ----- 4
Price ----- 4	Vilas ----- 6
Racine ----- 7	Walworth ----- 6
Richland ----- 5	Washburn ----- 4
Rock ----- 6	Washington ----- 6
Rusk ----- 4	Waukesha ----- 7
Saint Croix ----- 4	Waupaca ----- 5
Sauk ----- 5	Wausara ----- 5
Sawyer ----- 4	Winnebago ----- 5
Shawano ----- 6	Wood ----- 5
Sheboygan ----- 6	

## WYOMING

Zone	Zone
Albany ----- 9	Niobrara ----- 9
Big Horn ----- 11	Park ----- 11
Campbell ----- 11	Platte ----- 9
Carbon ----- 11	Sheridan ----- 11
Converse ----- 11	Sublette ----- 11
Crook ----- 9	Sweetwater ----- 11
Fremont ----- 11	Teton ----- 11
Goshen ----- 9	Uinta ----- 11
Hot Springs ----- 11	Washakie ----- 11
Johnson ----- 11	Weston ----- 9
Laramie ----- 9	Yellowstone Na-
Lincoln ----- 11	tional Park
Natrona ----- 11	(part) ----- 11

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This regulation shall become effective September 25, 1944. Issued this 16th day of September 1944.

JAMES G. ROGERS, Jr.,  
Acting Administrator.

Approved: September 5, 1944.

MARVIN JONES,  
War Food Administrator.

[F. R. Doc. 44-14348; Filed, Sept. 16, 1944;  
11:51 a. m.]

## PART 1499—COMMODITIES AND SERVICES

[RMPR 165, Supp. Service Reg. 36]

POWER LAUNDRIES AND DRY CLEANERS IN  
COLUMBIA, S. C., AREA

A statement of the considerations involved in the issuance of this Supplementary Service Regulation No. 36 has been filed with the division of the Federal Register. For the reasons set forth in that statement, and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Order No. 9250 and Executive Order No. 9328, Supplementary Service Regulation No. 36 is hereby issued. The specifications and standards set forth in this Supplementary Service Regulation are those which, prior to the issuance of the regulation, were in general use by the trade in the affected area.

§ 1499.2271 *Power laundries and dry cleaners in the Columbia, South Carolina area.* (a) Dollars-and-cents maximum prices established for services sold by power laundries and dry cleaners, located in the Columbia, South Carolina area.

(1) *Maximum prices.* The maximum prices established by Revised Maximum Price Regulation No. 165—Services—for the retail laundry services specified in

Appendices A and B, and for the retail dry cleaning services specified in Appendix C, are modified as hereinafter provided. The maximum prices for the retail laundry services specified in Appendices A and B, when sold in the Columbia, South Carolina area by power laundries, shall be the prices set forth therein. The maximum prices for the retail dry cleaning services specified in Appendix C, when sold in the Columbia, South Carolina area, shall be the prices set forth therein.

The maximum price of any bundle type retail laundry service which does not conform exactly to the description of one of the bundle type services listed in Appendix A shall be that of the highest priced listed service in Appendix A, all of whose specifications are met by the unlisted service.

(2) *Definitions.* As used in this Supplementary Service Regulation No. 36 the term:

(i) "Retail laundry service" means all laundry services except those supplied on a commercial or institutional basis.

(ii) "Power laundry" means any establishment in the Columbia, South Carolina area offering laundry services for sale, with the exception of those laundries which do all ironing by hand.

(iii) "Columbia, South Carolina area" means the counties of Richland and Lexington, South Carolina.

(iv) "Family finished bundle" means a mixed bundle of wearing apparel and flat work which is washed and returned finished, ready for use. Any power laundry covered by this order may require that a bundle contain at least 50% flat work by weight in order to qualify for the "family finished bundle" rate.

(v) "Economy bundle" means a mixed bundle of wearing apparel and flat work in which the flat work is washed and finished and in which all wearing apparel is washed, extracted, and returned damp. (The bundle shall be split into two weights, one for flat work, and one for wearing apparel.)

(vi) "Damp wash bundle" means a mixed bundle of wearing apparel and flat work washed, extracted, and returned damp.

(vii) "Rough dry bundle" means a mixed bundle of wearing apparel and flat work in which the wearing apparel is washed, extracted, and tumbled dry, but not ironed or pressed, and in which the flat work is washed and returned finished, ready for use.

(viii) "Bachelor bundle" means a bundle of men's wearing apparel washed and finished, ready to wear.

(ix) "List price" means a service in which wearing apparel, flat work, and specialties are washed and returned, ready for use, at a listed price per article without any bundle rate or allowance.

(3) *Posting requirements.* Within 30 days after the issuance of this Supplementary Service Regulation No. 36, power laundries offering retail laundry services for sale in the Columbia, South Carolina area, shall post, each within its own establishment, in a place and manner so that it is plainly visible to, and understandable by, the purchasing public, a

list of the services offered for sale, and the maximum prices therefor set forth in Appendices A and B. All dry cleaners offering dry cleaning services for sale in the Columbia, South Carolina Area shall post, in the manner above provided relative to laundry services, a list of the dry cleaning services offered for sale together with the maximum prices therefor set forth in Appendix C.

(4) *Other laundry and dry cleaning services.* The maximum prices for retail list price laundry and dry cleaning services other than those set out in Appendices B and C, rendered by power laundries and dry cleaners in the Columbia, South Carolina Area, shall be governed by Revised Maximum Price Regulation No. 165.

(5) *Prohibition against indirect price increases.* No power laundry or dry cleaner covered by this Supplementary Service Regulation No. 36 may institute any practices which will result in direct or indirect price increases. Specifically, no such seller may discontinue a service offered in March 1942, or since, and sell or offer to sell in its place a higher priced laundry service, and likewise, no such seller may discontinue any element of any service offered without making a corresponding reduction in price, subject to the provisions of Supplementary Service Regulation No. 17 and Revised Supplementary Service Regulation No. 18.

(6) *Less than maximum prices.* Lower prices for any of the services covered by this Supplementary Service Regulation No. 36 may be charged, offered, demanded, or paid.

(7) *Minimum charges.* On services listed in Appendix B, any seller covered by this Supplementary Service Regulation may impose a minimum charge of 50¢ (after discount) for cash and carry customers and a minimum charge of \$1.00 for delivery customers.

(8) *Cash and carry discounts.* All sellers covered by this Supplementary Service Regulation must offer a discount of at least 20% to cash and carry customers for all power laundry and dry cleaning services: *Provided, however,* That such discounts shall be applicable only if the total charge for services requested by a customer at any given time, equals or exceeds 30¢. The minimum bundle charges specified in Appendix A shall be subject to the discount provisions of this sub-paragraph.

(9) No additional charges of any kind whatsoever may be added to the maximum prices listed in this Supplementary Service Regulation.

APPENDIX A—MAXIMUM PRICES FOR BUNDLE  
TYPE LAUNDRY SERVICES

All prices specified by weight are for dry weight when received from the customer.

Family finished:	
Wearing apparel (finished)-----	<sup>1</sup> \$0.16
Flat work (finished)-----	<sup>2</sup> .06
Minimum charge-----	.80
Economy bundle:	
Wearing apparel (damp)-----	<sup>1</sup> .04
Flat work (finished)-----	<sup>2</sup> .06
Minimum charge-----	.50
Shirts finished (if desired)-----	<sup>2</sup> .03
<sup>1</sup> Per pound.	
<sup>2</sup> Each (extra).	



APPENDIX A—MAXIMUM PRICES FOR BUNDLE  
TYPE LAUNDRY SERVICES—Continued

Damp wash:	
10 pounds.....	\$0.44
Each additional pound.....	.04
Minimum charge.....	.44
Shirts finished (if desired).....	1.08
Rough dry:	
Wearing apparel rough dry—flat	
work finished.....	1.06
Minimum charge.....	.60
Shirts finished (if desired).....	1.08
Flat work:	
Finished.....	1.06
Minimum charge.....	.60
Bachelor bundle:	
All men's clothing.....	1.18
Minimum charge.....	.50
<sup>1</sup> Per pound.	
<sup>2</sup> Each (extra).	

APPENDIX B—MAXIMUM PRICES FOR LIST PRICE  
LAUNDRY SERVICES

All prices specified by weight are for dry weight when received from the customer.

## MEN'S LIST

Items	Each (except as otherwise noted)
Bathrobes.....	\$0.25
Caps.....	.05
Coats, butler.....	.15
Coats, linen.....	.25
Collars.....	.03
Cuffs.....	.03
Drawers.....	.06
Handkerchiefs.....	.02
Neckties.....	.10
Nightshirts.....	.10
Overalls.....	.25
Overall pants.....	.20
Overall coats.....	.20
Pajama suits.....	.20
Pants, linen.....	.25
Pants, boys.....	.15
Shirts, dress.....	.22
Shirts, silk.....	.20
Shirts, plain or sport.....	.12
Shirts, boys.....	.10
Slacks.....	.25
Socks, per pair.....	.05
Undershirts.....	.06
Unionalls or coveralls.....	.30
Union suits.....	.10

## LADIES' LIST

Aprons, plain.....	.05
Aprons, fancy.....	.10
Aprons, Hoover.....	.25
Blouses, plain.....	.10
Dresses, plain.....	.85
Gowns.....	.20
Handkerchiefs.....	.02
Silk pieces:	
Bloomers.....	.10
Teddies.....	.10
Slips, silk (full length).....	.20
Slacks.....	.25
Uniforms.....	.25

## FLAT WORK LIST

Bath mats.....	.10
Napkins.....	.02
Lunch cloths.....	.10
Pillow cases.....	.05
Rags.....	.01
Rugs.....	.07
Scarfs.....	.05
Sheets.....	.08
Tablecloths, plain.....	.15
Towels, bath.....	.03
Towels, hand.....	.02
Wash cloths.....	.01

## SPECIALTIES

Blankets, single.....	.25
Blankets, double.....	.35
Chair covers, plain.....	.25
Chair covers, frilled.....	.35
Quilts.....	.25

<sup>1</sup> Per pound.

<sup>2</sup> Each or 0.17 per pound.

APPENDIX C—MAXIMUM PRICES FOR DRY  
CLEANING SERVICES

## MEN'S LIST

Item	Dry cleaned and pressed	Pressed only
Bathrobes.....	\$0.60	.....
Belts.....	.10	.....
Caps.....	.25	.....
Cap covers.....	.15	.....
Coat, rain.....	1.00	.....
Coats, wool (suit or sport).....	.80	\$0.20
Gloves.....	.25	.....
Hats, felt or panama (dry cleaned and blocked).....	.60	.....
Jackets, leather and suede.....	.75	.....
Jackets, wool.....	.80	.....
Overcoats and topcoats (civilian & military).....	.60	.40
Pants.....	.30	.20
Scarfs.....	.25	.....
Shirts, khaki.....	.20	.....
Shirts, silk.....	.30	.....
Shirts, wool.....	.25	.15
Suits, slack.....	.60	.40
Suits, 2 or 3 piece, wool.....	.60	.40
Sweaters.....	.30	.....
Ties.....	.10	.05

## LADIES' LIST

Bathrobes.....	\$0.60	.....
Blouses, plain.....	.30	\$0.20
Blouses, velvet.....	.50	.....
Coats, lined and unlined.....	.60	.40
Coats, fur collar.....	.85	.50
Coats, fur collar and cuffs.....	1.05	.50
Coats, velvet (long).....	1.00	.....
Coats, velvet (short).....	.50	.....
Coats, knit (dry cleaned and blocked).....	1.00	1.75
Dresses, plain or with 1 to 2 pleats.....	.60	.40
Dresses, 2 piece (skirt and jacket) plain or with 1 to 2 pleats.....	.60	.40
Dresses, 2 piece (full length dress and jacket), plain or with 1 to 2 pleats.....	.90	.60
Dresses, ensemble, plain or with 1 to 2 pleats.....	1.20	.80
Dresses, velvet (street).....	1.00	.....
Dresses, knit, 1 or 2 pieces (dry cleaned and blocked).....	1.00	1.75
Gloves, fabric (short).....	.25	.....
Hats (cleaned and blocked).....	.60	.....
Jackets.....	.30	.....
Jackets, velvet.....	.50	.....
Negligee.....	.60	.40
Skirts, plain or with 1 to 2 pleats.....	.30	.20
Slips.....	.25	.....
Suits, 2 piece, tailored, with 1 to 2 pleats.....	.60	.40
Suits, 3 piece, short coat, with 1 to 2 pleats.....	1.00	.75
Sweaters.....	.30	.....

<sup>1</sup> Blocked only.

## CHILDREN'S LIST

Coats (up to 25" in length).....	\$0.30	\$0.15
Coats (26" to 32" in length).....	.40	.20
Coats (33" to 40" in length).....	.50	.25
Dresses (up to 25" in length).....	.30	.15
Dresses (26" to 32" in length).....	.40	.20
Dresses (33" to 40" in length).....	.50	.25
Pants (up to 3 years).....	.15	.10
Pants (4 to 8 years).....	.20	.10
Pants (9 to 12 years).....	.25	.15
Suits (up to 3 years).....	.30	.15
Suits (4 to 8 years).....	.40	.25
Suits (9 to 12 years).....	.50	.25
Sweaters (small).....	.15	.....
Sweaters (medium).....	.25	.....
Sweaters (large).....	.30	.....

## HOUSEHOLD ARTICLES LIST

Items	Dry cleaned and pressed
Afghans.....	\$1.00
Automobile seats or back covers.....	.35
Automobile side or door covers.....	.15
Blankets, double.....	.50
Blankets, single.....	.35
Comforts, down filled.....	1.00
Comforts, wool filled.....	.75
Comforts, cotton filled.....	.50
Pillows, sofa.....	.25
Rugs, throw (average size).....	.50
Rugs, domestic.....	1.03
Rugs, oriental.....	1.06

<sup>1</sup> Per square foot.

This Supplementary Service Regulation No. 36 shall become effective September 21, 1944.

Issued this 16th day of September 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-14338; Filed, Sept. 16, 1944; 11:48 a. m.]

## PART 1499—COMMODITIES AND SERVICES

[Rev. SR 14 to GMPR, Amdt. 172]

## SCRAP CHEWING TOBACCO

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

The table in section 6.56 (a) (2) (i) is amended to read as follows:

TABLE A

Column 1	Column 2	Column 3	Column 4	Column 5
Variety	Maximum list price per dozen packages	Stated retail price per package	New maximum list price per dozen packages	New maximum retail price per package
Plain.....	\$0.48	\$0.05	\$0.58	\$0.06
Plain.....	.96	.10	1.15	.12
Plain.....	.99	.10	1.19	.12
Plain.....	1.00	.10	1.20	.12
Sweetened.....	.96	.10	1.06	.11
Sweetened.....	1.23	1.13	1.35	.14
Sweetened.....	1.44	.15	1.63	.17

<sup>1</sup> Or 2 for \$0.25.

This amendment shall become effective September 16, 1944.

Issued this 16th day of September 1944.

JAMES F. BROWNLEE,  
Acting Administrator.

[F. R. Doc. 44-14367; Filed, Sept. 16, 1944; 4:45 p. m.]

## PART 1305—ADMINISTRATION

[Supp. Order 92, Amdt. 4]

ADJUSTABLE PRICING OF CERTAIN COTTON  
TEXTILES

A statement of the reasons involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.\*

Supplementary Order No. 92 is amended in the following respect:

In § 1305.120 (a) subparagraph (1) is revoked.

This Amendment No. 4 shall become effective September 16, 1944.

Issued this 16th day of September 1944.

JAMES F. BROWNLEE,  
Acting Administrator.

[F. R. Doc. 44-14368; Filed, Sept. 16, 1944; 4:45 p. m.]

\*Copies may be obtained from the Office of Price Administration.

<sup>1</sup> F. R. 7502, 9896, 11076.



## PART 1316—COTTON TEXTILES

[MPR 11, Amdt. 18]

## FINE COTTON GOODS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Maximum Price Regulation No. 11 is amended in the following respects:

1. Section 1316.4 (d) Table I, other than the footnotes is amended to read as follows:

TABLE I—TYPE AND CONSTRUCTION OF CLOTH

Ref. No.		Cents per yard
<i>Combed broadcloth</i>		
AA1	37"—128 x 64—4.00 yd. (slub filled).....	21.42
AA2	37"—128 x 68—4.20 yd.....	21.24
AA3	37"—136 x 60—4.00 yd.....	21.28
AA4	37"—136 x 72—3.85 yd. (white dobby).....	27.61
AA5	37"—144 x 72—2.98 yd. (windbreaker).....	31.38
AA6	37"—144 x 76—4.20 yd.....	22.65
AA7	37"—144 x 76—3.74 yd. (windbreaker).....	26.34
AA8	38"—144 x 76—3.90 yd. (Foreign pima) (Ply yarns).....	48.62
AA9	38"—144 x 76—3.90 yd. (American pima) (Ply yarns).....	51.94
AA10	53"—144 x 76—2.85 yd. (Foreign pima) (Ply yarns).....	68.62
AA11	53"—144 x 76—2.85 yd. (American pima) (Ply yarns).....	73.28
AA12	37"—144 x 80—2.85 yd. (windbreaker).....	32.55
AA13	37"—152 x 80—4.20 yd.....	23.48
AA14	37"—164 x 84—3.90 yd.....	25.64
AA15	37"—120 x 60—3.90 yd. (Ply yarns).....	37.58
AA16	38"—112 x 64—3.85 yd.....	21.00
<i>Lawns</i>		
AB1	39"—68 x 56—11.00 yd.....	10.63
AB2	39"—68 x 72—10.00 yd.....	12.05
AB3	36"—72 x 56—10.00 yd.....	10.62
AB4	40"—72 x 68—9.50 yd.....	12.46
AB5	40"—74 x 72—7.11 yd. (Roving cord stripe).....	16.89
AB6	36"—76 x 72—10.00 yd.....	12.03
AB7	36"—76 x 72—7.75 yd.....	12.94
AB8	40"—76 x 72—9.65 yd.....	13.32
AB9	40"—76 x 72—9.00 yd.....	13.00
AB10	45"—76 x 72—8.00 yd.....	15.26
AB11	40"—80 x 80—5.40 yd.....	17.45
AB12	43"—80 x 80—3.20 yd. (Gas mask).....	26.60
AB13	39"—80 x 88—5.00 yd.....	20.41
AB14	39"—80 x 88—4.68 yd.....	22.71
AB15	40"—80 x 92—3.80 yd. (Gas mask).....	24.72
AB16	43"—80 x 92—3.50 yd. (Gas mask).....	26.65
AB17	36"—88 x 80—9.50 yd.....	13.34
AB18	40"—88 x 80—11.30 yd.....	18.79
AB19	40"—88 x 80—8.50 yd.....	14.70
AB20	40"—88 x 80—6.00 yd.....	15.73
AB21	40"—88 x 80—6.00 yd.....	16.72
AB22	44"—88 x 80—7.15 yd.....	16.76
AB23	45"—88 x 80—7.50 yd.....	16.83
AB24	40½"—94 x 90—3.85 yd.....	23.06
AB25	37"—96 x 72—8.25 yd. (shadow).....	14.81
AB26	37½"—96 x 92—5.50 yd.....	18.18
AB27	40"—96 x 92—7.50 yd.....	17.57
AB28	36"—96 x 100—7.05 yd.....	17.52
AB29	38"—96 x 100—4.00 yd.....	23.12
AB30	39"—96 x 100—5.90 yd.....	19.79
AB31	39"—96 x 100—5.00 yd.....	20.88
AB32	39"—96 x 100—4.10 yd.....	22.97
AB33	40"—96 x 100—6.00 yd. (American pima).....	22.29
AB34	40"—96 x 100—6.00 yd. (Foreign pima).....	20.81
AB35	40"—96 x 100—6.75 yd.....	19.20
AB36	40"—96 x 100—3.97 yd.....	26.88
AB37	44"—96 x 100—4.40 yd.....	24.27
AB38	39"—96 x 108—6.00 yd.....	24.88
AB39	40"—108 x 112—6.40 yd.....	20.39
AB40	39"—108 x 124—5.24 yd.....	29.46
AB41	39"—110 x 128—6.40 yd.....	32.16
AB42	39"—116 x 144—6.21 yd.....	33.83
AB43	39"—96 x 72—5.75 yd.....	17.74
AB44	40"—96 x 92—9.50 yd. (American pima).....	22.71
AB45	40"—96 x 100—9.00 yd. (American pima).....	23.36
AB46	40"—108 x 112—8.75 yd. (American pima).....	24.40
<i>Dimities</i>		
AC1	36"—96/64 x 68—9.00 yd.....	12.96
AC2	36½"—116/76 x 76—8.00 yd.....	15.07
AC3	36½"—114/76 x 64—7.60 yd.....	13.87
AC4	40½"—90/64 x 72—7.55 yd.....	14.39
AC5	36"—94/64 x 68—6.80 yd.....	14.36
AC6	45"—94 x 68—6.87 yd. (stripe).....	15.66
<i>Dimity check</i>		
AD1	37½"—54 x 44—10.40 yd.....	9.25
AD2	36"—76 x 72—8.30 yd.....	12.70
AD3	36"—73 x 64—9.40 yd.....	11.86
AD4	36"—90 x 80—8.10 yd.....	14.44
AD5	36½"—88 x 92—7.95 yd.....	15.28

TABLE I—TYPE AND CONSTRUCTION OF CLOTH—Continued

Ref. No.		Cents per yard
<i>Pique</i>		
AE1	38"—150/176 x 100—3.50 yd.....	33.63
AE2	38"—72/108 x 124—2.63 yd. (Birdseye-box loom).....	49.37
AE3	38"—72/108 x 136—2.62 yd. (Birdseye).....	49.64
AE4	39"—108 x 52—6.05 yd. (Voile).....	16.30
AE5	40"—116 x 56—5.52 yd. (Voile).....	18.34
AE6	38"—176 x 116—3.50 yd.....	31.85
<i>Pongee</i>		
AF1	38"—72 x 100—6.25 yd.....	17.29
AF2	34"—68 x 92—7.15 yd.....	15.02
<i>Voile</i>		
AG1	37½"—60 x 44—12.50 yd. (drop check).....	8.77
AG2	37½"—56 x 42—11.15 yd. (check voile).....	9.29
AG3	40"—74 x 56—10.00 yd. (drop check).....	11.55
AG4	39"—60 x 52—9.00 yd. (slack twist).....	11.50
AG5	39"—60 x 48—9.10 yd. (slack twist).....	11.64
AG6	38"—60 x 48—9.80 yd.....	10.45
AG7	40"—68 x 76—9.20 yd. (Foreign pima).....	17.24
AG8	40"—68 x 76—9.20 yd. (American pima).....	18.80
<i>Marquisettes</i>		
AH1	40"—26 x 14—6.50 yd. (ply yarns).....	15.25
AH2	50"—26 x 14—5.20 yd. (ply yarns).....	19.17
AH3	40"—42 x 20—4.80 yd.....	15.27
AH4	50"—42 x 20—3.98 yd.....	18.84
AH5	39½"—44 x 18—12.50 yd.....	7.45
AH6	39"—44 x 22—11.15 yd.....	8.24
AH7	39½"—46 x 20—10.75 yd.....	8.38
AH8	39½"—48 x 22—10.00 yd.....	8.95
AH9	39½"—48 x 24—9.75 yd.....	9.30
AH10	39½"—48 x 28—9.60 yd.....	9.78
AH11	39½"—48 x 32—9.40 yd.....	10.34
AH12	49"—48 x 28—8.00 yd.....	12.03
AH13	49"—48 x 32—7.60 yd.....	12.81
AH14	39½"—52 x 30—11.15 yd.....	10.28
AH15	48"—52 x 30—9.00 yd.....	12.03
AH16	48"—54 x 30—9.15 yd.....	12.06
AH17	39½"—60 x 34—9.65 yd.....	11.91
AH18	40"—60 x 34—8.40 yd.....	13.10
AH19	40"—52 x 32—9.60 yd. (ply filling).....	18.14
AH20	50"—52 x 32—7.60 yd. (ply filling).....	22.13
AH21	34½"—44 x 23/25.19—11.75 yd. Figured (rayon filling).....	8.53
<i>Scrim</i>		
AI1	40"—38/80 x 36—5.41.....	25.09
AI2	50"—38/80 x 36—4.34.....	31.06
<i>Fine combed plains</i>		
AJ1	50"—22 x 20—20.70 yd.....	5.35
AJ2	52"—28 x 24—20.00 yd.....	6.21
AJ3	52"—28 x 24—14.65 yd.....	7.00
AJ4	36"—60 x 48—10.00 yd.....	10.59
AJ5	54"—96 x 96—3.97 yd. (for industrial use).....	34.53
<i>Organdie</i>		
AK1	40"—84 x 80—11.00 yd.....	17.81
AK2	40"—84 x 80—10.75 yd. (Foreign pima).....	18.23
AK3	40"—84 x 80—10.75 yd. (American pima).....	19.50
AK4	45"—84 x 68—10.50 yd.....	18.83
AK5	45"—84 x 68—10.25 yd. (Foreign pima).....	19.31
AK6	45"—84 x 68—10.25 yd. (American pima).....	20.64
AK7	45"—84 x 80—9.75 yd.....	20.65
AK8	45"—84 x 80—9.50 yd. (Foreign pima).....	21.22
AK9	45"—84 x 80—9.50 yd. (American pima).....	22.63
AK10	40"—88 x 80—10.90 yd. (Mule fill).....	21.77
AK11	40"—80 x 84—9.12 yd. (Foreign pima).....	20.05
AK12	40"—80 x 84—9.12 yd. (American pima).....	21.55
<i>Typewriter cloth</i>		
AL1	40"—154 x 168—5.98 yd. (American pima).....	55.15
AL2	40"—144 x 156—5.27 yd. (American pima).....	54.85
AL3	38"—130 x 142—4.99 yd. (American pima warp).....	35.16
AL4	40"—124 x 128—5.10 yd. (American pima warp).....	33.74
AL5	40"—126 x 144—4.86 yd. (Pima).....	49.10
AL6	40"—134 x 158—5.11 yd. (Pima).....	51.10

\*Copies may be obtained from the Office of Price Administration.



TABLE 1—TYPE AND CONSTRUCTION OF CLOTH—Continued

Ref. No.		Cents per yard
<i>Umbrella cloth</i>		
AM1	26"—84/96 x 108—6.52 yd.	22.81
AM2	26"—84/104 x 108—6.40 yd.	22.69
AM3	26"—72/82 x 84—5.55 yd.	20.65
<i>Collar cloth</i>		
AN1	40 1/2"—102/206 x 64—2.08 yd. (ply warp)	49.15
AN2	40"—96 x 112—3.66 yd.	84.64
AN3	38 1/2"—100 x 64—3.63 yd.	25.31
AN4	39"—120 x 180—3.25 yd.	28.79
AN5	40"—200 x 112—1.26 yd. (semisoft)	109.23
<i>Poplins</i>		
AO1	37"—88 x 50—3.00 yd. (ply warp)	29.67
AO2	37 1/2"—102 x 48—3.15 yd. (ply warp)	31.48
AO3	37"—136 x 60—2.72 yd. (windbreaker)	30.69
AO4	38"—102 x 56—2.15 yd. (ply warp)	41.37
AO5	44"—102 x 56—1.85 yd. (ply warp)	48.92
AO6	37 1/2"—102 x 64—2.81 yd. (ply warp)	37.29
AO7	38"—112 x 64—3.55 yd.	23.73
AO8	37"—116 x 52—3.50 yd.	22.02
AO9	37"—116 x 56—3.25 yd.	23.92
AO10	37"—136 x 48—3.02 yd. (windbreaker)	27.32
AO11	37"—136 x 60—3.00 yd.	27.25
AO12	40 1/2"—136 x 68—2.50 yd.	33.75
AO13	37"—136 x 72—3.40 yd.	26.30
AO14	37 1/2"—112 x 72—2.46 yd. (ply warp)	42.34
AO15	37 1/2"—102 x 48—3.15 yd. (ply warp and filling)	34.65
<i>Beet-up marquisettes</i>		
AP1	39 1/2"—36 x 16/21.33—12.50 yd. (carded filling)	7.94
AP2	39 1/2"—48 x 22/38.50—8.21 yd.	12.52
AP3	39 1/2"—48 x 22/38.50—8.21 yd. (carded filling)	11.56
AP4	39 1/2"—44 x 18/25.50—10.40	9.73
<i>Sateen</i>		
AQ1	38 1/2"—84 x 136—4.90	19.50
AQ2	38 1/2"—84 x 136—4.25 (carded warp)	20.60
AQ3	38 1/2"—84 x 136—4.25	22.75
AQ4	43"—136 x 96—3.50 (carded filling)	23.61
AQ5	39 1/2"—96 x 160—3.35	25.34
AQ6	36"—96 x 94—2.25 (mercerized—ply yarns)	76.82
AQ7	41 1/2"—94 x 94—2.00 (Navy flotation fabric)	98.33
<i>Tracing cloth</i>		
AR1	35"—80 x 76—6.90	14.26
AR2	41"—80 x 76—5.85	16.87
AR3	47"—80 x 76—5.41	18.27
AR4	48"—80 x 76—5.00	19.25
AR5	62"—80 x 76—3.93	25.03
AR6	35"—84 x 90—8.00	20.66
AR7	42"—84 x 90—6.70	22.16
AR8	48"—84 x 90—5.89	28.46
AR9	48"—84 x 90—5.86	28.58
AR10	50"—85 x 88—5.61	29.94
AR11	36"—88 x 92—7.10	18.06
AR12	48"—88 x 92—5.70	29.21
AR13	48"—88 x 92—5.27	29.09
AR14	38"—88 x 96—7.00	18.34
AR15	43 1/2"—88 x 96—6.12	20.97
AR16	42"—96 x 100—6.62	28.50
<i>Aeroplane fabrics (ply yarns)</i>		
AS1	36 1/2"—80 x 86—4.00 (American pima)	45.13
AS2	39—80 x 84—3.61 (American pima)	46.99
AS3	36 1/2"—80 x 86—3.35 (American pima)	44.28
AS4	42 1/2"—80 x 86—2.77 (American pima)	51.60
AS5	39 1/2"—81 x 86—3.44 (Peeler)	38.61
AS6	39 1/2"—80 x 86—3.55 (American pima)	44.72
<i>Aeroplane fabric (mercerized ply yarn)</i>		
AT1	36 1/2"—80 x 84—4.00 (American pima)	47.73
AT2	42"—80 x 84—3.48 (American pima)	54.93
AT3	61"—80 x 86—2.20 (American pima)	82.71
<i>Aeroplane fabric (single yarn)</i>		
AU1	40"—104 x 100—4.35 (American pima)	35.03
AU2	40 1/2"—80 x 86—3.85 (American pima)	30.89
<i>Dotted swiles</i>		
AV1	36"—72 x 54/65—6.98 (unclipped weight) (box loom)	21.16
AV2	36"—70 x 50/68—7.43 (unclipped weight) (single shuttle)	23.31
AV3	36"—60 x 48/78—9.13 (unclipped weight) (single shuttle)	19.93
AV4	36"—68 x 56/98—7.50 (unclipped weight) (single shuttle)	24.39
<i>Jacquard broadcloth</i>		
AW1	37"—144 x 76—4.15 yd.	83.92
AW2	37"—144 x 72—3.63	85.97
<i>Decating apron cloth</i>		
AX1	75"—62 x 190—80 (Ply carded warp)	193.91
AX2	54"—62 x 190—1.20 (Ply carded warp)	167.86
AX3	77"—78 x 120—82 (Ply warp)	160.08
AX4	74"—80 x 172—92 (Ply warp)	181.63
AX5	78"—152 x 110—1.54 (Ply warp)	158.45
AX6	75"—226 x 152—63 (Ply warp)	279.11
AX7	77"—78 x 172—92 (Ply warp)	184.48

TABLE 1—TYPE AND CONSTRUCTION OF CLOTH—Continued

Ref. No.		Cents per yard
<i>Decating cloth</i>		
AY1	75"—62 x 168—70 (Ply carded warp)	190.99
AY2	75"—75 x 66—50 (Ply warp)	162.54
AY3	75"—80 x 180—60 (Ply warp)	178.95
AY4	75"—100 x 76—70 (Merc. warp)	159.86
AY5	75"—160 x 110—1.40 (Ply warp)	145.86
AY6	75"—213 x 165—60 (Ply warp)	235.73
<i>Decating blanket</i>		
AZ1	54"—70 x 216—1.24 (combed-ply warp and carded fill)	100.68
<i>Aeroplane delcer cloth</i>		
BA1	48"—64 x 52—1.86 (ply warp)	52.73
<i>Jacket cloth for rubber trade</i>		
BB1	28"—88 x 88—5.71	23.14
BB2	50"—88 x 88—3.23	37.52
BB3	60"—88 x 88—2.70	44.37
<i>Carrier apron for rubber trade</i>		
BC1	50"—96 x 98—2.95	51.19
BC2	60"—96 x 98—2.46	58.84
BC3	70"—96 x 98—1.96	77.62
BC4	80"—96 x 98—1.86	80.08
BC5	82"—96 x 98—1.81	82.44
BC6	38"—96 x 98—3.88	36.89
BC7	46"—96 x 98—3.19	46.22
<i>Printer's blanket fabric</i>		
BD1	68"—46/92 x 60—1.52 (ply warp pima)	84.46
BD2	86"—46/92 x 60—1.19 (ply warp pima)	106.06
BD3	48"—46/92 x 60—2.14 (ply warp pima)	58.08
BD4	56"—46/92 x 60—1.84 (ply warp pima)	70.14
BD5	42"—52 x 44—1.87 (ply yarns)	52.27
BD6	46"—52 x 44—1.70 (ply yarns)	60.21
BD7	52"—60 x 60—1.79 (ply yarns)	66.01
BD8	42"—54 x 60—2.02 (ply yarns)	56.88
BD9	64"—46/92 x 60—1.61 (ply pima warp)	81.56
BD10	46"—46/92 x 60—2.21 (ply pima warp)	55.07
BD11	62"—46/92 x 60—1.66 (ply pima warp)	80.20
BD12	74"—46/92 x 60—1.41 (ply pima warp)	92.11
BD13	82"—46/92 x 60—1.27 (ply pima warp)	101.57
BD14	95"—46/92 x 60—1.09 (ply pima warp)	115.97
BD15	54"—52 x 44—1.46 (ply yarns)	67.49
BD16	50"—52 x 44—1.57 (ply yarns)	58.51
<i>Tablecloth</i>		
BE1	49"—64 x 44—1.93 (combed cotton and spun rayon ply warp)	40.28
BE2	57"—64 x 64—1.66 (combed cotton and spun rayon ply warp)	45.60
<i>Linen warp card clothing cloth</i>		
BF1	64"—92 x 56—92	288.46
<i>Lapping cloth</i>		
BG1	86"—49 x 35—2.20 (ply warp—carded fill)	59.22
<i>Special combed duck</i>		
BH1	37 1/2"—86 x 46—1.75 (Merc. ply yarn)	62.99
BH2	37 1/2"—91 x 48—1.64 (Merc. ply warp)	69.77
BH3	31"—114 x 34—1.89 (20/1 wp—20/4 fill)	51.22
<i>Life vest (Air Corp spec.)</i>		
BI1	44 1/2"—100 x 100—1.70 (Merc. Ply yarn)	101.78
<i>Insulating fabric</i>		
BJ1	39"—44 x 34—17.20	7.54
BJ2	40"—88 x 88—9.48	21.76
<i>Acid resistant glove cloth</i>		
BK1	40"—52 x 280—70 (Carded warp—ply yarn)	158.32
<i>Bedford cord</i>		
BL1	38 1/2"—124 x 112—3.68	87.52
<i>Shade cloth</i>		
BM1	128"—64 x 64—90	95.22
BM2	150"—64 x 64—73	118.53
<i>Jersey</i>		
BN1	40"—88 x 92—6.26	18.39
<i>Skip dent shirting</i>		
BO1	38"—116 x 52—4.70	19.48
<i>Filter cloth</i>		
BP1	28"—112 x 112—7.17	22.88
BP2	48 1/2"—19 x 19—1.50	47.68
<i>Mechanical boat cloth (Ply yarns)</i>		
BQ1	50"—52 x 46—1.60	91.00
<i>Insect netting</i>		
BR1	39"—40"—50 x 52—8.00	16.14
BR2	45 1/2"—50 x 52—8.85	18.91
BR3	40 1/2"—50 x 52—6.28	19.89



TABLE 1—TYPE AND CONSTRUCTION OF CLOTH—Continued

Ref. No.		Cents per yard
<i>Oxford shirting</i>		
BS1	39"-97 x 66—3.71 (Plain).....	25.82
BS2	38"-88 x 52—4.10 (Plain).....	21.96
BS3	39"-90 x 50—3.50 (Plain).....	24.08
BS4	39"-96 x 44—3.21 (Plain).....	24.53
BS5	39"-120 x 60—3.19 (Plain).....	28.69
<i>Madras (dobby weave)</i>		
BT1	38"-92 x 88—4.62.....	27.58
BT2	38"-128 x 112—4.94.....	33.72
<i>Shoe lining</i>		
BU1	40"-104 x 50—2.17 (ply yarn).....	40.00
<i>Brassiere fabric</i>		
BV1	37"-136 x 64—2.90.....	31.62
BV2	40 1/2"-136 x 64—2.65.....	34.19
BV3	37"-154 x 76—3.23.....	31.26
BV4	40 1/2"-154 x 76—2.95.....	33.97
BV5	37"-144 x 84—2.85.....	33.05

TABLE 1—TYPE AND CONSTRUCTION OF CLOTH—Continued

Ref. No.		Cents per yard
<i>Brassiere fabric—Continued</i>		
BV6	40 1/2"-144 x 84—2.60.....	36.02
BV7	37"-188 x 92—3.28.....	31.15
BV8	40 1/2"-186 x 92—3.00.....	33.84
BV9	37"-136 x 68—2.80.....	35.32
BV10	40 1/2"-136 x 68—2.56.....	38.62
BV11	37"-136 x 72—3.73.....	27.58
BV12	40 1/2"-136 x 72—3.45.....	28.67
BV13	37"-154 x 72—4.05.....	27.51
BV14	40 1/2"-154 x 72—3.75.....	29.25
BV15	40"-154 x 66—3.75.....	25.27
<i>Mechanical boat cloth</i>		
BW1	48"-56 x 56—2.12 (single yarn).....	67.90
<i>Warp clip fabric</i>		
BX1	39 1/2"-60/68 x 48—7.00 (unclipped weight).....	18.32
BX2	39 1/2"-60/68 x 48—7.00 (unclipped weight—colored).....	19.24

## COLORED SHIRTING AND SEERSUCKERS\*

Reference No.		Cents per yard								
		50% color			75% color			100% color		
		Pastel	Medium	Dark	Pastel	Medium	Dark	Pastel	Medium	Dark
MADRAS										
KA-1	38"-72 x 64—5.05 yards (plain)	22.87	23.75	24.64	23.57	24.89	26.25	24.28	26.03	27.83
KA-2	38 1/2"-72 x 64—5.17 yards (plain)	22.65	23.52	24.44	23.36	24.67	26.05	24.06	25.82	27.67
KA-3	38"-80 x 72—5.22 yards (plain)	24.08	25.05	26.08	24.88	26.34	27.84	25.67	27.60	29.63
KA-4	39"-84 x 76—4.84 yards (plain)	26.26	27.31	28.39	27.13	28.69	30.32	27.98	30.06	32.22
KA-5	38"-92 x 80—5.06 yards (plain)	26.40	27.50	28.68	27.32	28.97	30.72	28.23	30.45	32.78
KA-6	38"-96 x 84—4.85 yards (plain)	27.35	28.50	29.74	28.26	29.99	31.81	29.22	31.53	33.96
KA-7	38"-88 x 76—5.42 yards (plain)	24.42	25.27	26.15	25.16	26.44	27.78	25.91	27.63	29.41
KA-8	38"-94 x 92—5.28 yards (plain)	27.69	28.64	29.61	28.50	29.90	31.37	29.32	31.19	33.17
KA-9	38"-96 x 92—5.25 yards (plain)	27.87	28.81	29.78	28.66	30.05	31.53	29.48	31.37	33.32
KA-10	38"-96 x 92—5.69 yards (plain)	27.42	28.37	29.34	28.21	29.62	31.09	29.04	30.92	32.87
KA-11	38"-96 x 100—5.49 yards (plain)	29.03	29.98	30.95	29.81	31.21	32.68	30.63	32.52	34.47
KA-12	38"-120 x 108—5.61 yards (pattern)	33.76	34.72	35.76	34.80	36.24	37.79	35.62	37.55	39.61
KA-13	38"-120 x 112—5.52 yards (pattern)	34.46	35.43	36.46	35.50	36.94	38.49	36.33	38.24	40.30
KA-14	38"-120 x 116—5.44 yards (pattern)	35.13	36.10	37.12	36.17	37.61	39.16	37.01	38.93	40.99
SEERSUCKER										
KB-1	38"-80 x 80—3.35 yard (pattern)	34.15	35.07	36.12						
KB-2	38"-80 x 80—4.00 yard (pattern)				31.51	32.97	34.50			
KB-3	38"-88 x 84—3.99 yard (pattern)	33.37	34.21	35.11						
KB-4	38"-88 x 84—4.73 yard (pattern)				36.84	32.09	33.41			
KB-5	38"-76 x 88—3.37 yard (pattern)	34.95	35.89	36.89						
KB-6	38"-76 x 88—3.99 yard (pattern)				33.01	34.28	35.74			
KB-7	38"-112 x 108—3.96 yard (pattern)	42.24	43.13	44.07						
KB-8	38"-112 x 108—4.72 yard (pattern)				39.10	40.43	41.84			
BROADCLOTH										
KC-1	37"-96 x 60—4.66 yd. (pattern)	25.09	26.21	27.41	25.99	27.69	29.44	26.90	29.16	31.52
KC-2	37"-96 x 60—4.96 yd. (pattern)	24.39	25.51	26.71	25.31	26.99	28.77	26.21	28.48	30.84
KC-3	37"-96 x 60—5.22 yd. (pattern)	23.89	24.93	26.11	24.72	26.40	28.18	25.63	27.88	30.26
KC-4	37"-104 x 60—4.95 yd. (pattern)	25.14	26.37	27.66	26.14	28.00	29.93	27.14	29.61	32.19
KC-5	37"-108 x 60—4.76 yd. (pattern)	26.01	27.27	28.61	27.05	28.97	30.96	28.10	30.67	33.32
KC-6	37"-112 x 60—4.61 yd. (pattern)	26.52	27.83	29.20	27.65	29.61	31.58	28.75	31.29	34.12
KC-7	37"-116 x 60—4.47 yd. (pattern)	27.13	28.51	29.95	28.24	30.31	32.46	29.43	32.18	35.06
KC-8	37"-120 x 60—4.37 yd. (pattern)	27.77	29.19	30.57	28.96	31.09	33.32	30.14	32.99	35.97
KC-9	37"-122 x 60—4.31 yd. (pattern)	27.95	29.39	30.91	29.17	31.33	33.60	30.41	33.31	36.32
KC-10	37"-112 x 64—4.23 yd. (pattern)	28.67	30.12	31.63	29.92	32.05	34.36	31.13	34.02	37.04
KC-11	37"-124 x 60—4.26 yd. (pattern)	28.20	29.67	31.21	29.49	31.70	34.02	30.75	33.70	36.79
KC-12	37"-124 x 64—4.18 yd. (pattern)	28.79	30.26	31.80	30.06	32.26	34.59	31.31	34.26	37.35
KC-13	37"-132 x 68—4.01 yd. (pattern)	30.61	32.12	33.70	31.91	34.18	36.54	33.20	36.22	39.38
KC-14	37"-128 x 60—4.09 yd. (pattern)	29.86	31.40	33.02	31.19	33.51	35.94	32.50	35.59	38.82
KC-15	37"-136 x 60—4.00 yd. (pattern)	30.45	32.05	33.72	31.80	34.22	36.71	33.18	36.38	39.73
KC-16	37"-136 x 68—4.42 yd. (pattern)	29.73	31.11	32.55	30.89	32.96	35.12	32.08	34.84	37.74
KC-17	37"-136 x 72—4.33 yd. (pattern)	30.50	31.81	33.24	31.57	33.63	35.79	32.76	35.50	38.42
KC-18	37"-144 x 76—4.40 yd. (pattern)	32.16	33.63	35.19	33.43	35.64	37.96	34.66	37.60	40.71
KC-19	37"-144 x 76—4.40 yd. (pattern) (Colored filling)							39.20		
					500 ends dark color replacing 500 ground		1,000 ends dark color replacing 1,000 ground			
KC-20	37"-108 x 60—4.67 yd. (pattern)					24.08		25.19		
KC-21	37"-116 x 60—4.47 yd. (pattern)					25.06		26.28		
KC-22	37"-124 x 60—4.26 yd. (pattern)					25.92		27.14		
KC-23	37"-128 x 60—4.10 yd. (pattern)					26.64		27.87		
KC-24	37"-132 x 56—4.15 yd. (pattern)					26.30		27.54		

## COLORED SHIRTINGS AND SEERSUCKERS

Reference No.	Construction	25% color pastel	50% color pastel	75% color pastel	100% color pastel
<b>OXFORDS</b>					
KD-1	38"-88 x 42—4.00 yards (plain).....	Cents 24.39	Cents 25.25	Cents 26.69	Cents 28.96
KD-2	39"-80 x 42—3.57 yards (plain).....	-----	-----	-----	27.84
KD-3	39"-84 x 42—3.75 yards (plain).....	-----	-----	-----	27.09
KD-4	39"-97 x 66—3.71 yards (plain).....	-----	-----	-----	28.68



2. In § 1316.4 (d) Table I, Paragraph (a) (1) of the footnote to "Colored shirtings and Seersuckers" is amended to read as follows:

(1) Deduct from the maximum price of the listed construction the entire cost of its warp as calculated from the following table and to the result add the new warp cost calculated in accordance with the same table.

	40/1	50/1	60/1	40/2	40/3	40/4	50/2	60/2
Greige per 100 ends.....	.00227	.00207	.00185	.00454	.00680	.00905	.00412	.00370
Pastel 27 cents:								
Color per 100 ends.....	.00319	.00280	.00246					
Medium 46 cents:								
Color per 100 ends.....	.00384	.00332	.00289					
Dark 66 cents:								
Color per 100 ends.....	.00452	.00386	.00335					

To determine the cost of each 100 ends of 40s, 50s or 60s colored ply yarns, use single yarn table for 40s, 50s and 60s respectively times the ply.

For any substitution involving a color of a cost other than the above listed costs, the warp cost shall be obtained by interpolation between or extrapolation from the costs listed above.

3. In § 1316.4 (d) Table I paragraph (C) of the footnote to "Colored shirtings and seersuckers" is amended to read as follows:

(C) Pickage changes:

For each pick (not exceeding 4 picks per inch) added to or omitted from a listed construction for the purpose of producing pattern effects add or subtract 0.18 cent per pick for greige filling yarns number 30 to 59 and 0.28 cent per pick for greige filling yarn number 60 and above.

4. § 1316.4 (d) Table II is amended to read as follows:

TABLE II

The following provisions shall apply to unfinished box-loom clip-spot marquisettes.

As used herein, the term "standard" means having a width of 35", 39½", 46", or 48" and a total count per inch of 36 to 48 sley (including cords if used but exclusive of selvege ends) and 14 to 34 picks (including roving), inclusive. The term "base construction" means 39½"-40 x 18, 40s or 50s combed warp, 40s or 50s, combed filling, 2 picks of 6.00 hank grey roving, 10 jumpers and/or 15 harness or less.

The base maximum price for standard unfinished box-loom clip-spot marquisettes shall be 10.45 cents per yard. For any standard construction other than the base construction the maximum price shall be the base maximum price adjusted upward or downward by the following per yard differentials.

A. Width differentials.

35" deduct.....	\$0.0069
46" add.....	.0101
48" add.....	.0207

B. Warp differentials—ground.

	35"	39½"	46"	48"
40s or 50s combed, where ground ends are more or less than 40 per inch:				
Grey, add or subtract for each two ends per inch.....	\$0.0016	\$0.0018	\$0.0021	\$0.0022
Pastel colors, add per end per inch.....	.00041	.00047	.00054	.00057
Empire colors, add per end per inch.....	.00054	.00062	.00072	.00075
40s or 50s carded, subtract from combed for two ends per inch.....	.00016	.00018	.00021	.00022

C. Filling differentials.

	35"	39½"	46"	48"
1. Ground:				
40s or 50s combed, where ground picks are more or less than 18 per inch:				
Grey, add or subtract for two picks per inch.....	\$0.0040	\$0.0042	\$0.0045	\$0.0053
Pastel colors, add per pick per inch.....	.00047	.00053	.00062	.00065
Empire colors, add per pick per inch.....	.00061	.00069	.00080	.00084
40s or 50s carded, subtract from combed for one pick per inch.....	.000082	.000093	.000108	.000113
2. Roving, subtract \$0.011 and add per pick per inch.....	.0100	.0112	.0126	.0138
Grey:				
4 hank.....	.0066	.0072	.0082	.0089
6 hank.....	.0050	.0056	.0063	.0069
8 hank.....	.0042	.0045	.0050	.0056
10 hank.....	.0036	.0040	.0044	.0049
12 hank.....	.0033	.0036	.0040	.0046
Pastel:				
4 hank.....	.0105	.0117	.0134	.0142
6 hank.....	.0074	.0082	.0093	.0100
8 hank.....	.0060	.0065	.0074	.0082
10 hank.....	.0051	.0055	.0062	.0069
12 hank.....	.0045	.0049	.0055	.0061
Empire:				
4 hank.....	.0115	.0128	.0148	.0157
6 hank.....	.0081	.0090	.0103	.0110
8 hank.....	.0065	.0071	.0081	.0089
10 hank.....	.0055	.0060	.0069	.0074
12 hank.....	.0049	.0054	.0060	.0066

D. Pattern differentials.

	35"	39½"	46"	48"
Over 10 jumpers and/or 15 harness:				
Per yard per pick 2 shuttles.....	\$0.000138	\$0.000138	\$0.000170	\$0.000170
Per yard per pick 3 and 4 shuttles.....	.000170	.000170	.000213	.000213

20/2 Carded cords (other than selvege):

Add per end (all widths):

Grey.....	\$0.000065
Pastel colors.....	.000106
Empire colors.....	.000121

E. Loop cutting

Add:

All widths, per yard..... \$0.0043

F. Production differential

After applying all necessary differentials add or subtract for each pick over or under an over-all count of 20 picks (all widths)..... \$0.0003

This amendment shall be effective as of June 30, 1944.

Issued this 16th day of September 1944.

JAMES F. BROWNLEE,  
Acting Administrator.

[F. R. Doc. 44-14363; Filed, Sept. 16, 1944;  
4:44 p. m.]

#### PART 1351—FOOD AND FOOD PRODUCTS

[FFR 1, Supp. 7]

#### PACKED FRUITS, BERRIES AND VEGETABLES OF THE 1944 AND LATER PACKS

##### Correction

In F. R. Doc. 44-11482, appearing at page 9493 of the issue for Friday, August 4, 1944, the heading of section 4 (b) should read: "Pricing Method No. 2."

#### PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 426, Amdt. 47]

#### FRESH FRUITS AND VEGETABLES FOR TABLE USE, SALES EXCEPT AT RETAIL

##### Correction

The next to the last paragraph of F. R. Doc. 44-11573, appearing on page 9512 of the issue for Friday, August 4, 1944, should read:

This amendment shall become effective at 12:01 a. m., August 3, 1944.

#### PART 1305—ADMINISTRATION

[Supp. Order 91, Amdt. 3]

#### EXEMPTION FROM PRICE CONTROL OF CERTAIN COMMODITIES, SERVICES, COMMODITY TRANSACTIONS AND SERVICE TRANSACTIONS IN HAWAII

A statement to accompany this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.\*

Supplementary Order No. 91 is amended by deleting subparagraph (a) (1) of § 1305.119.

This amendment shall become effective as of July 8, 1944.

Issued this 18th day of September 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-14403; Filed, Sept. 18, 1944;  
11:53 a. m.]

\*Copies may be obtained from the Office of Price Administration.  
19 F. R. 7419, 8046, 9898.







TABLE 4—SPECIFIC DOLLARS-AND-CENTS MAXIMUM PRICES PER DOZEN CONTAINERS FOR PROCESSORS WHO WERE NOT IN BUSINESS DURING 1941 OR WHO MADE NO SALES OF PACKED SWEET CORN DURING THE BASE PERIOD

Item No.	Area	Variety	Style	No. 2 cans			No. 10 cans			No. 2 vacuum cans		
				Fancy	Extra standard	Standard	Fancy	Extra standard	Standard	Fancy	Extra standard	Standard
1	1	Golden	Cream	\$1.28	\$1.19	\$1.11	\$6.60	\$6.14	\$5.73			
2		White, other than evergreen and narrow grain	do.	1.28	1.19	1.11	6.60	6.14	5.73			
3		Evergreen and narrow grain	do.	1.18	1.09	1.06	6.09	5.62	5.47			
4		All varieties	Whole grain	1.31	1.25	1.17	6.66	6.36	5.95	\$1.24	\$1.18	\$1.10
5	2	Golden	Cream	1.36	1.22	1.15	7.01	6.29	5.93			
6		White, other than evergreen and narrow grain	do.	1.36	1.22	1.15	7.01	6.29	5.93			
7		Evergreen and Narrow Grain	do.	1.26	1.12	1.10	6.50	5.78	5.68			
8		All varieties	Whole grain	1.47	1.36	1.29	7.48	6.92	6.56	1.37	1.27	1.20
9	3	Golden	Cream	1.29	1.17	1.07	6.65	6.04	5.52			
10		White, other than Evergreen and Narrow Grain	do.	1.29	1.17	1.07	6.65	6.04	5.52			
11		Evergreen and Narrow Grain	do.	1.19	1.07	1.02	6.14	5.52	5.26			
12		All varieties	Whole grain	1.38	1.25	1.17	7.02	6.36	5.95	1.36	1.24	1.16
13	4	Golden	Cream	1.29	1.16	1.08	6.66	5.98	5.57			
14		White, other than Evergreen and Narrow Grain	do.	1.29	1.16	1.08	6.66	5.98	5.57			
15		Evergreen and Narrow Grain	do.	1.19	1.06	1.03	6.14	5.47	5.31			
16		All varieties	Whole grain	1.43	1.29	1.23	7.27	6.56	6.26	1.41	1.26	1.20
17	5	Golden	Cream	1.50	1.39	1.30	7.74	7.17	6.71			
18		White, other than Evergreen and Narrow Grain	do.	1.50	1.39	1.30	7.74	7.17	6.71			
19		Evergreen and Narrow Grain	do.	1.40	1.29	1.25	7.22	6.65	6.45			
20		All varieties	Whole grain	1.62	1.56	1.51	8.24	7.94	7.68	1.53	1.32	1.26
21	6	Golden	Cream	1.29	1.17	1.07	6.65	6.04	5.52			
22		White, other than Evergreen and Narrow Grain	do.	1.29	1.17	1.07	6.65	6.04	5.52			
23		Evergreen and Narrow Grain	do.	1.19	1.07	1.02	6.14	5.52	5.26			
24		All varieties	Whole grain	1.38	1.25	1.17	7.02	6.36	5.95	1.36	1.24	1.16

TABLE 5—CONVERSION FACTORS—METAL CONTAINERS  
(Part 1) All Cream Sweet Corn

To convert from a can size in this column	To a can size listed at the head of a column below, multiply by the appropriate conversion factor				
	8 oz.	1 Picnic	No. 303	No. 2	No. 10
8 oz.				\$1.69	\$8.72
1 Picnic				1.43	7.38
No. 303				1.12	5.78
No. 2	\$0.59	\$0.70	\$0.89		5.16
No. 10	.11	.14	.17	.19	

(Part 2) All Whole Kernel Corn

To convert from a can size in this column	To a can size listed at the head of a column below, multiply by the appropriate conversion factor					
	8 oz.	1 Picnic	No. 303	No. 2 Vacuum	No. 2	No. 10
8 oz.					\$1.82	\$9.26
No. 1 Picnic					1.47	7.48
No. 303					1.15	5.85
12 oz. Vacuum					1.06	5.40
No. 2	\$0.55	\$0.68	\$0.87	\$0.94		5.09
No. 10	.11	.13	.17	.18	.20	

TABLE 6—CONVERSIONS FROM TIN TO GLASS (DOLLARS PER DOZEN CONTAINERS)

All Sweet Corn	
If you can figure a price for a can size in this column—	To get a price for the glass container size at the head of a column below, add the indicated amount
No. 303	No. 303
	\$0.15

TABLE 7—GRADE DIFFERENTIALS

In each case in figuring prices based on grade differentials, if the processor has base prices for both a higher and lower grade than the item being priced, he shall use the differential between the item being priced and the lower grade, except that substandard shall not be used as the lower grade. (For example, if the processor has base prices for both fancy and standard grades and now wishes to price extra standard he takes the difference between extra standard and standard)

DIFFERENCES BETWEEN SUCCESSIVE GRADES (PER DOZEN CONTAINERS)

Item No.	Area	Variety	Style	No. 2 cans			No. 10 cans			No. 2 vacuum cans		
				Fancy and extra standard	Extra standard and standard	Standard and sub-standard	Fancy and extra standard	Extra standard and standard	Standard and sub-standard	Fancy and extra standard	Extra standard and standard	Standard and sub-standard
1	1	Golden	Cream	\$0.09	\$0.08	\$0.10	\$0.46	\$0.41	\$0.50			
2		White, other than Evergreen & Narrow Grain	Cream	.09	.08	.10	.46	.41	.50			
3		Evergreen and Narrow Grain	Cream	.09	.08	.10	.47	.45	.50			
4		All Varieties	Whole Grain	.06	.08	.10	.30	.41	.50	\$0.06	\$0.08	\$0.10
5	2	Golden	Cream	.14	.07	.10	.72	.36	.50			
6		White, other than Evergreen & Narrow Grain	Cream	.14	.07	.10	.72	.36	.50			
7		Evergreen and Narrow Grain	Cream	.14	.02	.10	.72	.10	.50			
8		All Varieties	Whole Grain	.11	.07	.10	.56	.36	.50	.10	.07	.10
9	3	Golden	Cream	.12	.10	.10	.61	.52	.50			
10		White, other than Evergreen & Narrow Grain	Cream	.12	.10	.10	.61	.52	.50			
11		Evergreen and Narrow Grain	Cream	.12	.05	.10	.62	.26	.50			
12		All Varieties	Whole Grain	.13	.08	.10	.66	.41	.50	.12	.08	.10
13	4	Golden	Cream	.13	.08	.10	.68	.41	.50			
14		White, other than Evergreen & Narrow Grain	Cream	.13	.08	.10	.68	.41	.50			
15		Evergreen and Narrow Grain	Cream	.13	.03	.10	.67	.16	.50			
16		All Varieties	Whole Grain	.14	.06	.10	.71	.30	.50	.15	.06	.10



TABLE 7—GRADE DIFFERENTIALS—Continued

Item No.	Area	Variety	Style	No. 2 cans			No. 10 cans			No. 2 vacuum cans		
				Fancy and extra standard	Extra standard and standard	Standard and sub-standard	Fancy and extra standard	Extra standard and standard	Standard and sub-standard	Fancy and extra standard	Extra standard and standard	Standard and sub-standard
17	5	Golden	Cream	.11	.09	.10	.57	.46	.50			
18		White, other than Evergreen & Narrow Grain	Cream	.11	.09	.10	.57	.46	.50			
19		Evergreen and Narrow Grain	Cream	.11	.04	.10	.57	.20	.50			
20		All Varieties	Whole Grain	.06	.05	.10	.30	.26	.50	.21	.06	.10
21		Golden	Cream	.12	.10	.10	.61	.52	.50			
22	6	White, other than Evergreen & Narrow Grain	Cream	.12	.10	.10	.61	.52	.50			
23		Evergreen and Narrow Grain	Cream	.12	.05	.10	.62	.26	.50			
24		All Varieties	Whole Grain	.13	.08	.10	.66	.41	.50	.12	.08	.10

TABLE 8—DIRECT SUBSIDY PAYABLE PER DOZEN CONTAINERS

## ALL AREAS, VARIETIES, STYLES AND GRADES

Amount of subsidy to be subtracted from gross maximum price per dozen containers in making sales to purchasers other than Government procurement agencies

8 oz.	1 picnic	No. 303	No. 2 vacuum	No. 2	No. 10
\$0.05	\$0.06	\$0.07	\$0.06	\$0.08	\$0.42

This amendment shall become effective September 18, 1944.

Issued this 16th day of September 1944.

JAMES F. BROWNLEE,  
Acting Administrator.

[F. R. Doc. 44-14361; Filed, Sept. 16, 1944;  
4:43 p. m.]

## PART 1351—FOOD AND FOOD PRODUCTS

[FPR 1, Amdt. 2 to Supp. 7]

## PACKED FRUITS, BERRIES AND VEGETABLES OF 1944 AND LATER PACKS

## Correction

In F.R. Doc. 44-12537, appearing at page 10194 of the issue for Tuesday, August 22, 1944, the following corrections should be made:

Under Part 1 of Table 3, the Price range for No. 10 cans, Ex. Standard, opposite Item 23, should read "6.45—7.26".

In Part 2 of Table 3, the brackets for Areas 3 and 4 should be arranged to include for Area 3 Items 13 through 18 and the sieve sizes opposite, and for Area 4 Items 19 through 24 and the sieve sizes opposite. The Price range under No. 2 cans, Standard, opposite Item No. 29, should read "1.11—1.25".

In Part 4 of Table 4, the Item 2 price for No. 10 cans, Extra standard, should read "7.57".

## PART 1351—FOOD AND FOOD PRODUCTS

[MPR 421,<sup>1</sup> Amdt. 14]

## CEILING PRICES OF CERTAIN FOODS SOLD AT WHOLESALE

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Maximum Price Regulation 421 is amended in the following respects:

\*Copies may be obtained from the Office of Price Administration.

<sup>1</sup>9 F.R. 5648, 9719, 10257.

1. Section 14a is added to read as follows:

SEC. 14a. *Gift and holiday packages assembled by you.* If you assemble, into gift or holiday packages, any food items covered by this regulation, with or without any items not covered by this regulation, your ceiling price for each such package will be the sum of the following multiplied by 1.05:

(a) Your ceiling price for each item (or article) being packed, figured under this regulation or any other applicable maximum price regulation. If you have no ceiling price for any item (or article), use your direct cost for that item.

(b) Your direct cost of the packaging materials used for the package, including the container.

2. In Section 32 (b) (37), the following item is added in alphabetical order:

Gift or holiday packages bought assembled, and containing one or more items covered by this regulation.

This amendment shall become effective September 16, 1944.

Issued this 16th day of September 1944.

CHESTER BOWLES,  
Administrator.

Approved: September 15, 1944.

GROVER B. HILL,  
Acting War Food Administrator.

[F. R. Doc. 44-14364; Filed, Sept. 16, 1944;  
4:44 p. m.]

## PART 1351—FOOD AND FOOD PRODUCTS

[MPR 422,<sup>1</sup> Amdt. 26]

## CEILING PRICES OF CERTAIN FOODS SOLD AT RETAIL IN GROUP 3 AND GROUP 4 STORES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Maximum Price Regulation 422 is amended in the following respects:

1. Section 18a is added to read as follows:

SEC. 18a. *Gift and holiday packages assembled by you.* If you assemble, into gift or holiday packages, any food items covered by this regulation, with or without any items not covered by this regulation, you must figure your ceiling price for such package under whichever of the following paragraphs applies:

<sup>1</sup>9 F.R. 5656, 6828, 6951, 7339, 7520, 7937, 9354, 9719, 10258.

(a) For packages assembled in cardboard, wooden, or other plain containers (for example, "overseas" or "service-men's" packages), your ceiling price will be the sum of the following, multiplied by 1.05:

(1) Your ceiling price for each item (or article) being packed, figured under this regulation or any other applicable maximum price regulation. If you have no ceiling price for any item (or article), use your direct cost for that item.

(2) Your direct cost of the packaging materials used for the particular package, including the container.

(b) For packages assembled in permanent containers designed and constructed for re-use (including but not limited to trays, cedar boxes, hampers, teakwood chests, fancy baskets), your ceiling price will be the sum of the following, multiplied by 1.10:

(1) Your ceiling price for each item (or article) being packed, figured under this regulation or any other applicable maximum price regulation. If you have no ceiling price for any item (or article), use your direct cost for that item.

(2) Your direct cost of the packaging materials used for the particular package, including the container.

2. In section 38 (b) (37), the following item is added in alphabetical order.

Gift or holiday packages bought assembled, and containing one or more items covered by this regulation.

This amendment shall become effective September 16, 1944.

Issued this 16th day of September 1944.

CHESTER BOWLES,  
Administrator.

Approved: September 15, 1944.

GROVER B. HILL,  
Acting War Food Administrator.

[F. R. Doc. 44-14365; Filed, Sept. 16, 1944;  
4:44 p. m.]

## PART 1351—FOOD AND FOOD PRODUCTS

[MPR 423,<sup>1</sup> Amdt. 27]

## CEILING PRICES OF CERTAIN FOODS SOLD AT RETAIL IN INDEPENDENT STORES DOING AN ANNUAL BUSINESS OF LESS THAN \$250,000 (GROUP 1 AND GROUP 2 STORES)

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

<sup>1</sup>9 F.R. 5671, 6829, 7340, 7520, 7937, 9354, 9720, 10259.



Maximum Price Regulation 423, is amended in the following respects:

1. Section 18b is added to read as follows:

SEC. 18b. *Gift and holiday packages assembled by you.* If you assemble, into gift or holiday packages, any food items covered by this regulation, with or without any items not covered by this regulation, you must figure your ceiling price for such package under whichever of the following paragraphs applies:

(a) For packages assembled in cardboard, wooden, or other plain containers (for example, "overseas" or "service-men's packages"), your ceiling price will be the sum of the following, multiplied by 1.05:

(1) Your ceiling price for each item (or article) being packed, figured under this regulation or any other applicable maximum price regulation. If you have no ceiling price for any item (or article), use your direct cost for that item.

(2) Your direct cost of the packaging materials used for the particular package, including the container.

(b) For packages assembled in permanent containers designed and constructed for re-use (including but not limited to trays, cedar boxes, hampers, teakwood chests, fancy baskets), your ceiling price will be the sum of the following, multiplied by 1.10:

(1) Your ceiling price for each item (or article) being packed, figured under this regulation or any other applicable maximum price regulation. If you have no ceiling price for any item (or article), use your direct cost for that item.

(2) Your direct cost of the packaging materials used for the particular package, including the container.

2. In section 27 (b) (37), the following item is added in alphabetical order.

Gift or holiday packages bought assembled, and containing one or more items covered by this regulation.

This amendment shall become effective September 16, 1944.

Issued this 16th day of September 1944.

CHESTER BOWLES,  
Administrator.

Approved: September 15, 1944.

GROVER B. HILL,  
Acting War Food Administrator.

[F. R. Doc. 44-14366; Filed, Sept. 16, 1944;  
4:44 p. m.]

#### PART 1420—BREWERY, WINERY AND DISTILLERY PRODUCTS

[MPR 445, Amdt. 17]

##### DISTILLED SPIRITS AND WINES

###### Correction

In paragraph 3 of F. R. Doc. 44-11540, appearing at page 9505 of the issue for Friday, August 4, 1944, the third from the last figure in Col. 4 of the table under paragraph (c) (2) should read: "9.035."

\*Copies may be obtained from the Office of Price Administration.

#### PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 13; Amdt. 54]

##### PROCESSED FOODS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.\*

Revised Ration Order 13 is amended in the following respects:

1. The following sections of Revised Ration Order 13 are revoked:

Sections 3.1 (a) (1) (iii), 3.1 (a) (1) (vi), 3.1 (a) (2), 6.10, 9.10, 10.10 (b), 10.13, 10.14, 10.15, 10.16, 10.17, 10.19, 14.6, 14.7, 19.1 (m), 26.4a, 26.9, 27.1 (a) (12) (i) (b), 27.1 (a) (12) (i) (d), 27.1 (a) (12) (i) (f), 27.1 (a) (20), 27.1 (a) (21), 27.1 (a) (23), 27.1 (a) (24), 27.1 (a) (25), 27.1 (a) (26), 27.1 (a) (27), 27.1 (a) (28), and 27.1 (a) (29).

2. The parenthetical second, third and fourth sentences of section 3.1 (a) are deleted.

3. Section 4.1 (a) is amended by deleting the third sentence (beginning with the words "This article \* \* \*") and the fourth sentence (beginning with the words "In addition, this article \* \* \*") in the parenthetical paragraph immediately following (2).

4. Section 5.1 (a) is amended by deleting the last sentence (beginning with the words "In addition, this article \* \* \*") in the parenthetical paragraph immediately following (3).

5. The last two sentences of section 10.2 (a) are deleted.

6. Article XXIV is revoked.

7. The first sentence of section 27.1 (a) (12) (ii) is deleted.

8. Section 27.1 (a) (10) is amended to read as follows:

(10) "Processed foods" means the following fruits and purees, fruit juices, vegetables, and vegetable juices in hermetically sealed containers of any type and sterilized by the use of heat:

- (i) *Fruits and purees.*  
Apples (including crabapples).  
Applesauce.  
Apricots.  
Berries.  
Cherries.  
Cranberries or sauce (whole, strained, or jellied).  
Figs.  
Fruit cocktail, fruits for salad, or mixed fruits.  
Peaches.  
Pears.  
Pineapple.  
Plums.  
Prunes.
- (ii) *Fruit juices.*  
Grape juice.  
Grapefruit juice.  
Orange juice.  
Orange-grapefruit juice blended.  
Pineapple juice.
- (iii) *Vegetables (exclude purees).*  
Tomatoes.  
Tomato catsup or chili sauce.
- (iv) *Vegetable juices.*

\* 9 F.R. 3, 104, 574, 695, 765, 848, 1397, 1727, 1817, 1908, 2233, 2234, 2240, 2440, 2567, 2791, 3032, 3073, 3513, 3579, 3703, 3710, 3944, 3947, 4026, 4351, 4475, 4604, 4818, 4876, 5074, 5436, 5695, 5829, 6234, 6235, 6647, 6951, 7080, 7081, 7202, 7257, 7345, 7437, 7773, 8793, 9169, 9954.

Tomato juice.

Vegetable juice combinations (containing 70% or more of tomato juice).

NOTE: Foods in the above group which are not covered by this order are listed in Appendix A. The foods listed in Appendix A are not "processed foods" as that term is used.

9. Section 6.6 (j) is amended to read as follows:

(j) *Allotments for industrial users of canned or bottled vegetables or vegetable juices having a point value.* An industrial user who, during the fourth quarter of his base period, used canned or bottled vegetables or vegetable juices, which on September 17, 1944 have a point value (other than zero) may apply for an allotment covering such vegetables or juices. The application shall be made on OPA Form R-315, to the board or district office with which he is registered, and must estimate the number of pounds of such vegetables or juices separately for each item (as listed on the Official Table of Point Values—effective September 17, 1944) which he used during the fourth quarter of his base period. The board or district office may grant the application if it finds that the industrial user, during the fourth quarter of his base period, used canned or bottled vegetables or vegetable juices which have a point value (other than zero) on September 17, 1944. The amount of his allotment shall be computed in the following way:

(1) The number of pounds of each such item of canned or bottled vegetables or vegetable juices which he used during the fourth quarter of his base period is multiplied by the point value in effect for that item on September 17, 1944 (as shown on the Official Table of Point Values—effective September 17, 1944);

(2) The resulting figures are added together and multiplied by 0.55.

The result represents his allotment for the fourth allotment period of 1944 for canned or bottled vegetables or vegetable juices having a point value on September 17, 1944. (Section 6.6 (d) applies in determining whether an industrial user who receives an allotment under this paragraph is entitled to a certificate, and in determining the amount of the certificate.)

10. Section 16.1 (a) is amended by adding at the end thereof the following: "He must retain such records in his possession notwithstanding any amendment or revocation of any part of this order."

11. Section 19.6 is added to read as follows:

SEC. 19.6 *Saving clause.* The amendment or revocation of any part of this order shall not excuse the performance of any duty imposed or affect any obligation incurred under this order (including the duty or obligation to collect points, to give up points, to keep records and to make reports) up to the effective date of such amendment or revocation, unless the amendment or revocation shall so expressly provide. A person who, but for such amendment or revocation, would have been required to make any report after the effective date of such amendment or revocation because of any act, transaction or operation prior



to that date, shall make such report with respect to those acts, transactions, or operations at the time when it would have been due but for such amendment or revocation. The part of the ration order which was amended or revoked shall be considered to remain in force for the purpose of requiring the performance of any such duty imposed or obligation incurred.

12. The following is added to Appendix A in its proper alphabetical order:

Baby foods (packed in hermetically sealed containers and sterilized by the use of heat)

This amendment shall become effective at 12:01 a. m., September 17, 1944.

Note: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507, and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; WFO No. 56, 8 F.R. 2005, 9 F.R. 4319, and WFO No. 58, 8 F.R. 2251, 9 F.R. 4319)

Issued this 16th day of September 1944.

JAMES F. BROWNLEE,  
Acting Administrator.

[F. R. Doc. 44-14369; Filed, Sept. 16, 1944;  
4:45 p. m.]

#### PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[RO 1E,<sup>1</sup> Amdt. 12]

#### MILEAGE RATIONING: TIRE REGULATIONS FOR THE TERRITORY OF HAWAII

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Ration Order 1E is amended in the following respects:

1. The definition of the word "tube" in section 2.1 is amended to read as follows:

"Tube" means any new rubber tube designed for use within a truck tire casing.

2. Section 3.2 (d) (3) is added as follows:

No Board may issue a certificate for a passenger tube.

3. The text to section 4.2 is amended by deleting the phrase "and new tubes".

4. Section 4.2 (d) is revoked.

5. Section 6.7 (k) is amended to read as follows:

(k) *Transfer and mounting of new passenger type tubes and any type used tubes.* Any person may transfer, acquire, mount, use, alter or change the physical location of new passenger type

tubes and any type of used tubes without certificate or authorization.

This amendment shall become effective September 18, 1944.

Issued this 18th day of September 1944.

MELVIN C. ROBBINS,  
Territorial Director,  
Territory of Hawaii.

Approved:

JAMES P. DAVIS,  
Regional Administrator,  
Region IX.

[F. R. Doc. 44-14411; Filed, Sept. 18, 1944;  
11:58 a. m.]

#### PART 1340—FUEL

[RMFR 137, Corr. to Amdt. 5]

#### PETROLEUM PRODUCTS SOLD AT RETAIL ESTABLISHMENTS

Pennsylvania area as set forth in section 11 (b) (1) (i) is corrected to read as follows:

*Pennsylvania:* Excepting Schedule D area comprising the Counties of Allegheny; Armstrong; Beaver; Butler; Cameron; Clarion; the townships of Chapman, East Keating, Leidy, Noyes and West Keating; Crawford; Elk; Erie; Fayette; Forest; Greene; Jefferson; Lawrence; McKean; Mercer; Potter; Tioga; Venango; Warren; Washington; Westmoreland except the townships of Derry, Fairfield, Ligonier, and St. Clair in Clinton County.

This correction shall become effective September 23, 1944.

Issued this 18th day of September 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-14398; Filed, Sept. 18, 1944;  
11:58 a. m.]

#### PART 1351—FOOD AND FOOD PRODUCTS

[MPR 53, Amdt. 34]

#### FATS AND OILS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.\*

A new section 8.6 is added to read as follows:

Sec. 8.6 *Custom crushing.* (a) No person who crushes olives as a service for the owner of such olives shall charge and no owner of such olives shall pay for that service any more than an amount sufficient to make the cost of the oil to such owner f. o. b. crusher's mill equal to or less than the maximum price which the owner of such olives would pay if he purchased the oil at the crusher's maximum price therefore as set forth in this Article 8. In no case shall the charge of the crusher for his crushing services exceed his March 1942 established maximum price for such services under Revised Maximum Price Regulation No. 165.

(b) If the pomace or other by-products produced from the olives are to be retained by the crusher, the value of the pomace or other by-product retained

must be considered in determining the cost of the crushing service.

(c) The person for whom the custom crushing is performed must furnish the custom crusher with a signed statement in writing containing such person's name, the date of the statement, the amount paid for the olives to be crushed, the date on which such olives were purchased, the name of the person from whom such olives were purchased and the cost of transporting such olives to the crusher's mill. This statement must be furnished before the custom crushing is done. A copy of such statement must be retained by the person for whom the custom crushing is performed, and both the original of such statement and the copy must be preserved for examination by the Office of Price Administration or its authorized representative at any reasonable time.

(d) When used in this section "Custom crusher" means any person who crushes olives to produce olive oil as a service for the owner of the olives.

(e) This section shall not apply to the grower of olives who has no crushing facilities of his own when such person has the olives grown by himself crushed by another.

This amendment shall become effective September 23, 1944.

Issued this 18th day of September 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-14404; Filed, Sept. 18, 1944;  
11:59 a. m.]

#### PART 1360—MOTOR VEHICLES AND MOTOR VEHICLE EQUIPMENT

[RO 2B,<sup>1</sup> Amdt. 15]

#### PASSENGER AUTOMOBILES

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.\*

Ration Order No. 2B is amended in the following respects:

1. Sections 1.9a and 1.9b are revoked.

This amendment shall become effective October 18, 1944.

(Pub. Law 671, 76th Cong. as amended by Pub. Laws 89, 421 and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719; WPB Dir. No. 1, 7 F.R. 563; Supp. Dir. IX, 9 F.R. 8776)

Issued this 18th day of September 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-14407; Filed, Sept. 18, 1944;  
11:59 a. m.]

#### PART 1384—HARDWOOD LUMBER

[MPR 176,<sup>2</sup> Amdt. 11]

#### SOUTHERN ROTARY CUT BOX GRADE VENEER

A statement of the considerations involved in the issuance of this amend-

<sup>1</sup> 8 F.R. 2483, 5317, 5531, 5678, 7197, 8005, 8008, 10727, 12559, 13725, 16843; 9 F.R. 2298, 6880.

<sup>2</sup> 9 F.R. 5376, 5569.

\*Copies may be obtained from the Office of Price Administration.

<sup>1</sup> 8 F.R. 12434, 13920, 15378, 17566, 17223; 9 F.R. 727, 2893, 3031, 4743, 6231, 7502, 11002.



ment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Section 1384.14 of Maximum Price Regulation 176 is amended to read as follows:

§ 1384.14 *Overtime operations*—(a) *General.* Any manufacturer of southern rotary cut box grade veneer who operates his plant 48 hours or more during a week may reflect the increased cost of his overtime operations on the basis of the board feet produced during that week or the succeeding week, whichever is the smaller, by adding to the basic maximum f. o. b. factory price as follows: (1) \$1.75 per thousand feet for 8 to 14 hours' operation over 40 hours per week; (2) \$2.50 per thousand for 14 to 20 hours' operation over 40 hours per week; (3) \$3.25 per thousand for 20 hours or more over 40 hours per week.

The amount of the overtime addition is to be calculated in the following manner:

(1) Divide the total number of man hours compensated for at regular rates during the week (based on a 40 hour week) in the entire box veneer plant operation into the number of man hours compensated for at overtime rates during the same week in the entire box veneer plant operation to establish a percentage;

(2) Apply the percentage obtained as outlined above to 40 hours to determine the average overtime hours over 40 hours for which the specified additions may be made.

*Example:* In a given week a plant operates a total of 4200 man hours on regular time and 960 man hours on overtime. The ratio of regular hours to overtime hours is 22.9 (960÷4200). Applying 22.9% to 40 hours, the result is 9.2 hours. If average overtime falls between 8 and 14 hours, as it does in this case, an addition of \$1.75 per thousand feet may be made to the basic maximum f. o. b. factory price. If average overtime is 9.2 hours, and the plant produces 100,000 feet during the week, it is entitled to add \$1.75 per M to the selling price of 100,000 feet of its output during the following week, unless the following week's output falls below 100,000 feet in which case the addition is restricted to the week's actual output.

(b) *Report.* On or before the 10th day of October, November, December of 1944 and January of 1945 any manufacturer who makes additions for overtime operations under paragraph (a) of this section must file a report with the Lumber Branch, Office of Price Administration, Washington, D. C., showing the number of hours compensated for at regular and overtime rates, the footage of veneer produced and sold and the overtime additions for each week of the preceding month. No manufacturer who fails to file the foregoing report by the 10th day of the month may make further additions under this section without first obtaining written authorization from the Lumber Branch, Office

of Price Administration, Washington, D. C.

This amendment shall become effective September 23, 1944.

Issued this 18th day of September 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-14405; Filed, Sept. 18, 1944;  
11:59 a. m.]

#### PART 1388—DEFENSE-RENTAL AREAS

[Designation and Rent Declaration 25,<sup>1</sup> Amdt. 25]

#### DESIGNATION OF AREAS AND RENT DECLARATIONS RELATING TO SUCH AREAS

Items 143, 146, and 186 in Designation and Rent Declaration 25 are amended to read as follows:

(143) Rochester, New York, Counties of Genesee, Monroe and Orleans.

(146) Syracuse, New York, Counties of Cayuga, Onondaga, Oswego, and Wayne.

(186) Williamsport, Pennsylvania, Counties of Cameron, Clinton, Columbia, Elk, Lycoming, Montour, Northumberland, Snyder, and Union, and in the County of Luzerne, Nescopeck Borough, Nescopeck Township, and Salem Township.

This amendment shall become effective October 1, 1944.

Issued this 18th day of September 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-14413; Filed, Sept. 18, 1944;  
12:01 p. m.]

#### PART 1388—DEFENSE-RENTAL AREA

[Designation and Rent Declaration 29,<sup>2</sup> Amdt. 2]

#### DESIGNATION OF AREAS AND RENT DECLARATIONS RELATING TO SUCH AREAS

Item 21 of Designation and Rent Declaration 29 is revoked to add the counties of Cameron and Elk in the Emporium, Pennsylvania Defense-Rental Area to the Williamsport Defense-Rental Area.

This amendment shall become effective October 1, 1944.

Issued this 18th day of September 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-14414; Filed, Sept. 18, 1944;  
12:01 p. m.]

#### PART 1388—DEFENSE-RENTAL AREAS

[Designation and Rent Declaration 31,<sup>3</sup> Amdt. 23]

#### DESIGNATION OF AREAS AND RENT DECLARATION RELATING TO SUCH AREAS

Items 3, 5, 6, 32, 35, 38, and 98 are amended and items 105, 106, 107, 108 and

109 are added to Designation and Rent Declaration 31 to read as follows:

(3) Arkansas, Arkansas, That portion of the State of Arkansas not designated prior to October 5, 1942 by the Price Administrator as part of any defense-rental area, except the Counties of Johnson and Randolph.

(5) Colorado, Colorado, That portion of the State of Colorado not designated prior to October 5, 1942 by the Price Administrator as part of any defense-rental area, except the Counties of Boulder, Chaffee, Garfield, and Mesa.

(6) Florida, Florida, That portion of the State of Florida not designated prior to October 5, 1942 by the Price Administrator as part of any defense-rental area, except the Counties of Columbia, Dade, St. Johns, St. Lucie, Santa Rosa, Wakulla, and Walton, and in the County of Broward the city of Hollywood and the town of Hallandale.

(32) Oklahoma, Oklahoma, That portion of the State of Oklahoma not designated prior to October 5, 1942 by the Price Administrator as part of any defense-rental area, except the Counties of Beckham, Canadian, Carter, Custer, Jackson, Pottawatomie, Tillman, and Washita.

(35) South Carolina, South Carolina, That portion of the State of South Carolina not designated prior to October 5, 1942 by the Price Administrator as part of any defense-rental area, except the Counties of Colleton, Florence, and Orangeburg and in the County of Horry, the townships of Conway, Dogwood Neck, and Socastee.

(38) Texas, Texas, That portion of the State of Texas not designated prior to October 5, 1942 by the Price Administrator as part of any defense-rental area, except the Counties of Bee, Brazos, Brewster, Collin, Denton, Gregg, Kinney, Kleberg, Lampasas, McCulloch, Nolan, Smith, Uvalde, Val Verde, and Webb, and Justices' Precincts 1, 6, and 7 in the County of Caldwell.

(98) Clarksville, Arkansas, County of Johnson.

(105) Boulder, Colorado, County of Boulder.

(106) De Funiak Springs, Florida, County of Walton.

(107) Ardmore, Oklahoma, County of Carter.

(108) Orangeburg, South Carolina, County of Orangeburg.

(109) Longview, Texas, County of Gregg.

This amendment shall become effective October 1, 1944.

Issued this 18th day of September 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-14415; Filed, Sept. 18, 1944;  
12:01 p. m.]

#### PART 1388—DEFENSE-RENTAL AREAS

[Rent Regulation for Housing,<sup>4</sup> Amdt. 32]

CLARKSVILLE, ARK., ETC.

Schedule A of the Rent Regulation for Hotels and Rooming Houses is amended in the following respects:

1. Item 260 (Emporium Defense-Rental Area) is revoked to add the Counties of Cameron and Elk, Pennsylvania, to the Williamsport Defense-Rental Area.

2. Items 205, 210, and 272 are amended and items 19a, 41a, 54a, 242b, 280b, and 321b are added to read as follows:

<sup>1</sup> 9 F.R. 5820.  
<sup>2</sup> 7 F.R. 5907, 10739.  
<sup>3</sup> 9 F.R. 5823, 5915, 7329, 7431, 9265, 9513.  
<sup>4</sup> 9 F.R. 2165, 2290, 3231, 3421, 4194, 4541, 5002, 5806, 5828, 5915, 6569, 7329, 8054, 9265, 9428, 9513, 10188.

\*Copies may be obtained from the Office of Price Administration.

*Halls and Rooming Houses*



Name of defense-rental area	State	County or counties in defense-rental area under rent regulation for hotels and rooming houses	Maximum rent date	Effective date of regulation	Date by which registration statement to be filed (inclusive)
(19a) Clarksville	Arkansas	Johnson	Oct. 1, 1943	Oct. 1, 1944	Nov. 15, 1944
(41a) Boulder	Colorado	Boulder	June 1, 1943	do	Do.
(54a) De Funiak Springs	Florida	Walton	Oct. 1, 1943	do	Do.
(205) Rochester	New York	Genesee, Monroe, and Orleans	Mar. 1, 1942	do	Nov. 15, 1942
(210) Syracuse	do	Wayne	do	do	Do.
(242b) Ardmore	Oklahoma	Cayuga, Onondaga, Oswego, and Wayne	Nov. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(272) Williamsport	Pennsylvania	Carter	July 1, 1943	Oct. 1, 1943	Nov. 15, 1944
do	do	Lycoming	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
do	do	Cameron, Columbia, Montour, Northumberland, Snyder, and Union	do	Dec. 1, 1942	Jan. 15, 1943
do	do	County of Elk and in the County of Luzerne, Nescopeck Borough, Nescopeck Township, and Salem Township	do	Aug. 1, 1943	Sept. 15, 1943
(280b) Orangeburg	South Carolina	Clinton	do	Feb. 1, 1944	Mar. 15, 1944
(321b) Longview	Texas	Orangeburg	Oct. 1, 1943	Oct. 1, 1944	Nov. 15, 1944
		Gregg	July 1, 1943	do	Do.

This amendment shall become effective October 1, 1944. This amendment shall not release or extinguish any penalty, duty, or liability incurred under the Rent Regulation for Hotels and Rooming Houses.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 18th day of September 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-14416; Filed, Sept. 18, 1944;  
12:00 m.]

PART 1388—DEFENSE-RENTAL AREAS  
[Rent Regulation for Housing,<sup>1</sup> Amdt. 35]

CLARKSVILLE, ARK., ETC.  
Schedule A of the Rent Regulation for

Housing is amended in the following respects:

1. Item 260 (Emporium Defense-Rental Area) is revoked to add the counties of Cameron and Elk, Pennsylvania, to the Williamsport Defense-Rental Area.
2. Items 205, 210, and 272 are amended and items 19a, 41a, 54a, 242b, 280b, and 321b are added to read as follows:

Name of defense-rental area	State	County or Counties in defense-rental area under rent regulation for housing	Maximum rent date	Effective date of regulation	Date by which registration statement to be filed (inclusive)
(19a) Clarksville	Arkansas	Johnson	Oct. 1, 1943	Oct. 1, 1944	Nov. 15, 1944
(41a) Boulder	Colorado	Boulder	June 1, 1943	do	Do.
(54a) De Funiak Springs	Florida	Walton	Oct. 1, 1943	do	Do.
(205) Rochester	New York	Genesee, Monroe, and Orleans	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(210) Syracuse	do	Wayne	do	do	Do.
(242b) Ardmore	Oklahoma	Cayuga, Onondaga, Oswego, and Wayne	Nov. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(272) Williamsport	Pennsylvania	Carter	July 1, 1943	Oct. 1, 1944	Nov. 15, 1944
do	do	Lycoming	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
do	do	Cameron, Columbia, Montour, Northumberland, Snyder, and Union	do	Dec. 1, 1942	Jan. 15, 1943
do	do	County of Elk and in the County of Luzerne, Nescopeck Borough, Nescopeck Township, and Salem Township	Mar. 1, 1943	Aug. 1, 1943	Sept. 15, 1943
(280b) Orangeburg	South Carolina	Clinton	do	Feb. 1, 1944	Mar. 15, 1944
(321b) Longview	Texas	Orangeburg	Oct. 1, 1943	Oct. 1, 1944	Nov. 15, 1944
		Gregg	July 1, 1943	do	Do.

This amendment shall become effective October 1, 1944. This amendment shall not release or extinguish any penalty, duty, or liability incurred under the Rent Regulation for Housing.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 18th day of September 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-14417; Filed, Sept. 18, 1944;  
12:00 m.]

#### PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 5C,<sup>2</sup> Amdt. 150]

##### MILEAGE RATIONING: GASOLINE REGULATIONS

A rationale accompanying this amendment issued simultaneously herewith,

<sup>1</sup> 9 F.R. 5807, 5915, 6359, 6569, 6819, 7329, 8054, 9266, 9513, 10188.

<sup>2</sup> 8 F.R. 15937.

has been filed with the Division of the Federal Register.\*

Ration Order 5C is amended in the following respects:

1. Section 1394.7904 (e) is revoked.
2. Section 1394.8153 (b) (4) is revoked.
3. In consequence of the revocation of § 1394.8153 (b) (4), Orders No. 3, No. 4 and No. 5, issued by the Deputy Administrator in Charge of Rationing pursuant to authority contained in such section, are also revoked.

This amendment shall become effective September 22, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421 and 507, 77th Cong.) WPB Dir. No. 1, Supp. Dir. No. 1Q, 7 F.R. 562, 9121, E.O. 9125, 7 F.R. 2719)

Issued this 18th day of September 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-14409; Filed, Sept. 18, 1944;  
11:58 a. m.]

\*Copies may be obtained from the Office of Price Administration.

#### PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 5E,<sup>3</sup> Amdt. 8]

##### MILEAGE RATIONING: GASOLINE REGULATIONS FOR PUERTO RICO

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Ration Order 5E is amended in the following respects:

Section 2.7 (a) (13) is amended to read as follows:

(13) By a traveling salesman engaged in:

- (i) The sale of necessary productive equipment or supplies for farm, factories, mines and similar productive or extractive establishments or of petroleum products, if the marketing of such equipment or supplies by salesman is essential to the war effort or to the welfare of the community; or
- (ii) The wholesale of medical or food supplies or in the transportation of med-

<sup>3</sup> 8 F.R. 9975, 16039; 9 F.R. 397, 1321, 2240, 5165, 8055, 8055.



ical supplies to and from his establishment, but not to the ultimate consumer.

This amendment shall become effective September 18, 1944.

Issued this 18th day of September 1944.

SAM P. GILSTRAP,  
Territorial Director,  
Puerto Rico.

Approved:

JAMES P. DAVIS,  
Regional Administrator,  
Region IX.

[F. R. Doc. 44-14412; Filed, Sept. 18, 1944;  
11:57 a. m.]

#### PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Rev. RO 11, Amdt. 26]

##### FUEL OIL

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.\*

Revised Ration Order 11 is amended in the following respects:

1. The following note is inserted between paragraphs (a) and (b) of § 1394.5652:

NOTE: Where transfers are regularly made on a temperature adjustment basis, coupons equal in gallonage value to the adjusted amount of fuel oil transferred shall be surrendered.

2. Section 1394.5653 (b) is amended by adding after the period at the end of the paragraph the following: "No dealer or primary supplier shall detach coupons from a consumer's coupon sheet unless and until a transfer of fuel oil has been made by him to that consumer equal to the gallonage value of the coupons detached. (Section 1394.5712 explains what a dealer or primary supplier must do when evidences are not surrendered on time.)"

3. Section 1394.5653 (b) (1) is amended by substituting for the phrase "1394.5454" the phrase "1394.5696 (a)" and by adding the following sentence after the period at the end of the subparagraph: "(A dealer or primary supplier must comply with this subparagraph (1) even though he has filed the report required by § 1394.5712.)"

3a. Section 1394.5653 (b) (1) (i) is added as follows:

(i) No transfer of fuel oil may be made by a dealer or primary supplier to a consumer who has not within the time required by this order, surrendered to the transferor evidences for a previous transfer of fuel oil, unless the transferor has complied with § 1394.5712.

3b. Section 1394.5653 (b) (2) is amended by substituting for the phrase "1394.5454" the phrase "1394.5696 (a)".

4. Section 1394.5653 (b) (3) is added as follows:

(3) No dealer or primary supplier shall transfer fuel oil to a consumer (other than an agency specified in § 1394.5696 (a)), for which the surrender of coupons is required, and no such consumer shall accept such a transfer unless at the time of the transfer that consumer has on hand (or on deposit with the transferor) coupons equal in gallonage value to the fuel oil to be transferred, excluding the gallonage value of any coupons not yet surrendered for previous transfers of fuel oil.

5. Section 1394.5654 (a) is amended by adding the following sentence at the end thereof: "No dealer or primary supplier shall detach coupons from a consumer's coupon sheet unless and until a transfer of fuel oil has been made by him to that consumer equal to the gallonage value of the coupons detached."

6. Section 1394.5686 (c) is amended by adding the following note at the end thereof:

NOTE: Where transfers are regularly made on a temperature adjustment basis, a ration check for the adjusted amount of fuel oil transferred shall be surrendered.

7. Section 1394.5687 (b) is amended to read as follows:

(b) (1) A transfer of fuel oil may be made to a consumer who is a depositor (other than an agency specified in § 1394.5696 (a)), in exchange for his ration check in an amount equal to the fuel oil transferred, unless the transferor knows or has reasonable cause to believe that the consumer does not have on hand at the time of the transfer ration credits equal in gallonage value to the fuel oil to be transferred. In determining the amount of ration credits on hand, there shall be excluded the gallonage value of (i) ration checks not yet surrendered for previous transfers of fuel oil and (ii) ration checks issued which have not yet cleared. The check must be issued at the time of, or at the option of the transferor within 15 days before or within 15 days after, the transfer. No transfer of fuel oil may be made by a dealer or primary supplier to a consumer who has not within the time required by this order, surrendered to him evidences for a previous transfer of fuel oil, unless the dealer or primary supplier has complied with § 1394.5712.

(2) No consumer who is a depositor and who is required to deliver his ration check for a transfer of fuel oil (other than an agency specified in § 1394.5696 (a)) shall accept such a transfer, unless at the time of the transfer he has on hand ration credits (as explained in subparagraph (1) of this paragraph) equal in gallonage value to the fuel oil to be transferred.

8. Section 1394.5687 (c) is amended to read as follows:

(c) If a delivery to a consumer who is a depositor is made in the absence of the consumer or his agent, or by common or contract carrier or pipeline, the consumer shall, within seventy-two (72)

hours after, or at the option of the transferor within fifteen (15) days in advance of or within fifteen (15) days after the transfer, issue his ration check to the transferor for the fuel oil transferred. No transfer of fuel oil may be made by a dealer or primary supplier to a consumer who has not surrendered to him evidences for a previous transfer of fuel oil within the time required by this order, unless the dealer or primary supplier has complied with the provisions of § 1394.5712.

9. Section 1394.5687 (f) is amended to read as follows:

(f) If a transferor permits a consumer who is a depositor to issue a check for a transfer of fuel oil after the transfer (according to and up to the maximum period permitted by paragraph (b) or (c) of this section), the transferor may, at his option, permit the consumer to include in the check the gallonage value of any fuel oil transferred by the transferor to the consumer between the date of the first mentioned transfer and the date on which the issuance of the check for that transfer is required.

10. Section 1394.5689 (a) is amended by adding the following sentence after the period at the end of the paragraph: "(A dealer or primary supplier must comply with this paragraph even though he has filed the report required by § 1394.5712.)"

11. Section 1394.5707 (a) (4) is amended by adding the following sentence after the period at the end of the subparagraph: "(A dealer or primary supplier must comply with this subparagraph (4) even though he has filed the report required by § 1394.5712.)"

12. Section 1394.5707 (a) (6) and (7) is added to read as follows:

(6) No dealer shall accept a transfer of fuel oil for which the surrender of evidences is required, unless he has on hand ration evidences or ration credits equal in gallonage value to the fuel oil to be transferred or (where transfer is regularly made on a temperature adjustment basis) equal in gallonage value to the adjusted amount of fuel oil to be transferred. In determining the amount of ration evidences or ration credits on hand there shall be excluded (i) evidences not yet surrendered for previous transfers of fuel oil, (ii) ration checks issued by him which have not yet cleared and (iii) ration evidences received in advance for which fuel oil of an equal gallonage value has not yet been transferred. (Consumers' coupons on deposit with the dealer in exchange for which fuel oil of an equal gallonage value has not been transferred must not be included in figuring the amount of evidences on hand.)

(7) No primary supplier within or without the limitation area and no dealer within the limitation area shall transfer to a dealer within the limitation area fuel oil for which the surrender of evidences is required, if the transferor knows or has reasonable cause to believe that the transferee does not have on hand ration evidences or credits (as explained in subparagraph (6) of this sec-

\*Copies may be obtained from the Office of Price Administration.

19 F.R. 2357, 3353, 4350, 4391, 4874, 5165, 5219, 5253, 5502, 5926, 6030, 5804, 6360, 7169, 7201, 7708, 7773, 8988, 9405, 9835, 9620, 9901, 10049; 9 F.R. 9901, 10644.



tion) equal in gallonage value to the fuel oil to be transferred or (where transfer is regularly made on a temperature adjustment basis) equal in gallonage value to the adjusted amount of the fuel oil to be transferred. No transfer of fuel oil may be made by a transferor to a transferee who has not within the time required by this order, surrendered to him evidences for a previous transfer of fuel oil, unless the transferor has complied with § 1394.5712.

13. Section 1394.5709 (a) is amended to read as follows:

(a) Any primary supplier who receives a transfer or return of fuel oil from a dealer who is within the limitation area, when the transfer or return is other than in connection with a transfer of the place of business or mobile facilities of such transferor, shall at the time of, or at the option of the transferor within fifteen (15) days after or within fifteen (15) days in advance of, the transfer, deliver to the transferor, coupons or other evidences equal in gallonage value to the amount of fuel oil so transferred or returned, or (where transfer is regularly made on a temperature adjustment basis) equal in gallonage value to the adjusted amount of fuel oil so transferred or returned. (Section 1394.5735 explains to whom evidences must be surrendered (or a primary supplier registration number furnished) when fuel oil is delivered to a person for another person's account. Section 1394.5712 explains what the transferor must do when evidences are not surrendered on time.)

14. Section 1394.5709 (c), (d) and (e) are added to read as follows:

(c) No primary supplier shall accept a transfer of fuel oil from a dealer within the limitation area for which the surrender of evidences is required, unless he has on hand ration evidences and credits equal in gallonage value to the fuel oil to be transferred or (where transfer is regularly made on a temperature adjustment basis) equal in gallonage value to the adjusted amount of fuel oil to be transferred. In determining the amount of ration evidences and credits on hand, there shall be excluded the gallonage value of (1) ration checks not yet surrendered for previous transfers of fuel oil for which the surrender of evidences is required, (2) ration checks issued which have not yet cleared, (3) evidences received in advance for which fuel oil of an equal gallonage value has not yet been transferred, and (4) evidences due to the Office of Price Administration. (Consumers' coupons on deposit with the primary supplier in exchange for which fuel oil of an equal gallonage value has not been transferred must not be included in figuring the amount of evidences on hand.)

(d) No dealer within the limitation area shall transfer to a primary supplier fuel oil for which the surrender of evidences is required, if he knows or has reasonable cause to believe that the transferee does not have on hand ration evidences or credits (as explained in paragraph (c) of this section) equal in gallonage value to the fuel to be transferred or (where transfer is regularly made on a temperature adjustment

basis) equal in gallonage value to the adjusted amount of fuel oil to be transferred.

(e) No transfer or return of fuel oil, other than in connection with a transfer of a place of business or mobile facilities, may be made by a transferor to a transferee who has not within the time required by this order, surrendered to him evidences for a previous transfer of fuel oil, unless the transferor has complied with § 1394.5712.

15. Section 1394.5712 is added to read as follows:

§ 1394.5712 *What a dealer or primary supplier must do when evidences are not surrendered on time.* (a) A dealer or primary supplier to whom a transferee has failed to surrender evidences within fifteen (15) days after that surrender was required must, within seven (7) days thereafter, notify in writing the District Office having jurisdiction over the area in which the transferor's regular place of business is located of the transferee's failure to surrender evidences within the time required. The notice shall contain the following information:

(1) Name and business address of the transferor;

(2) Name and address of the transferee;

(3) Date and amount of each fuel oil transfer made to the transferee for which evidences have not by the date of the report been surrendered; and

(4) Date on which evidences for each such transfer were due.

16. Section 1394.5724 (d) is amended to read as follows:

(d) No allowance of loss or shortage caused by the failure of a transferee to surrender evidences in exchange for a transfer of fuel oil, as required by this order, may be made under this section unless the applicant has complied with the provisions of § 1394.5712. No allowance of loss or shortage made under this section shall operate as a waiver of any violations of this order.

17. Section 1394.5725 (b) is amended to read as follows:

(b) The Washington Office will not accept an explanation of a loss or shortage caused by the failure of a transferee to surrender evidences in exchange for a transfer of fuel oil, as required by this order, unless the primary supplier has complied with the provisions of § 1394.5712. No acceptance by the Washington Office of an explanation of a loss or shortage shall operate as a waiver of any violation of this order.

18. Section 139.5801 (k) is revoked.

This amendment shall become effective on September 22, 1944.

NOTE: All reporting and record keeping requirements of this amendment to Revised Ration Order 11 have been approved by the Bureau of the Budget in accordance with the provisions of the Federal Reports Act of 1942.

Issued this 18th day of September 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-14410; Filed, Sept. 18, 1944;  
11:57 a. m.]

## PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. R.O. 16,<sup>1</sup> Amdt. 22]

### MEAT, FATS, FISH AND CHEESES

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.\*

Revised Ration Order 16 is amended in the following respects:

1. Section 4.11 (c) (5) is amended by adding at the end thereof the following: "A primary distributor may file a single report on Dairy Products Report No. 1 for each group of establishments of the type described in section 4.7 which are or will be registered together and from which he sells or transfers rationed dairy products only."

2. The first sentence of section 22.1 (a) is amended by inserting between the last word and the period at the end the words "(including Commodity Credit Corporation and Federal Surplus Commodities Corporation with respect to their operations under that agency)."

This amendment shall become effective September 22, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; and Supp. Dir. 1-M, 7 F.R. 8234; War Food Order No. 56, 8 F.R. 2005, 9 F.R. 4319; War Food Order No. 58, 8 F.R. 2251, 9 F.R. 4319; War Food Order No. 59, 8 F.R. 3471, 9 F.R. 4319; War Food Order No. 61, 8 F.R. 3471, 9 F.R. 4319)

Issued this 18th day of September 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-13408; Filed, Sept. 18, 1944;  
11:59 a. m.]

## PART 1418—TERRITORIES AND POSSESSION

[RMFR 183,<sup>2</sup> Amdt. 50]

### GROCERY ITEMS IN PUERTO RICO

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Revised Maximum Price Regulation 183 is amended in the following respects:

1. Section 20b is added to read as follows:

SEC. 20b. *Maximum prices for guava paste manufactured in the Territory of Puerto Rico.*

\*Copies may be obtained from the Office of Price Administration.

<sup>1</sup> 9 F.R. 6731, 7060, 7081, 7082, 7167, 7203, 7258, 7262, 7344, 7438, 7578, 7774, 8182.

<sup>2</sup> 9 F.R. 9213, 9286, 9996, 10425, 10498, 10777, 11075.



TABLE 2B—MAXIMUM PRICES FOR GUAVA PASTE

Item and brand name	Unit	Price to wholesaler (per 100 pounds)	Price at wholesale (per 100 pounds)	Price at retail (per pound)
All brands (first grade):				
Unboxed.....	100/14 oz. pkg.....	\$10.00	\$11.50	\$0.17
	100/15 oz. pkg.....	10.60	12.20	.18
	100/16 oz. pkg.....	11.20	12.90	.19

2. Section 40, Table 29 is amended by eliminating the price "to wholesaler" of Edam Cheese, 40% Fat.

3. Section 40, Table 31 is amended to read as follows:

TABLE 31—MAXIMUM PRICES FOR KLIM, NIDO, KRAFT, GOLDEN STATE AND DRYCO BRANDS

	All sales except at retail (price per carton) sale of			Price at retail (per tin)
	1 to 4	5 to 19	20 or more cartons	
12 1-pound tins.....	\$7.70	\$7.60	\$7.40	\$0.75
6 2½-pound tins.....	8.90	8.80	8.55	1.65
6 5-pound tins.....	16.60	16.50	16.00	3.00

4. Section 56 is amended by adding Footnote 4 to read as follows:

Footnote 4: On sales at retail a deposit charge may be imposed as follows: 2 cents for bottles of 12 and 22 ounces; and 3 cents for bottles of 32 ounces. The deposit shall be refunded to the depositor upon the return of the bottle.

5. Section 42, Table 33h is amended by adding a new item to read as follows:

Item and brand name	Unit—case of	Price at wholesale (per dozen)	Retail price (per unit)
Olives and capers: Rosemarie.....	24/1½ oz. net (6½ oz. fluid).....	\$2.15	\$0.22

6. Section 42, Table 33k, is amended by changing the price "at wholesale" of one item to read as follows:

Item and brand name	Unit—case of:	Price at wholesale (per dozen)	Retail price (per unit)
Strained or homogenized: All brands.....	12/4¼ or 4¾ oz. tin.	\$0.925	\$0.10

7. Section 63, Table 55 is amended by changing the price "to wholesaler" and "at wholesale", of chewing gum, in cartons of 100 packages, 2 nuggets, and by adding the title "All brands" to read as follows:

Item and brand name	Price to wholesaler	Price at wholesale	Retail price
All brands (all flavors): Cartons of 100 packages 2 nuggets.....	\$0.72	\$0.75	\$0.01 for 2 nuggets.

This amendment shall become effective September 23, 1944.

\*Copies may be obtained from the Office of Price Administration.

Issued this 18th day of September 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-14399; Filed, Sept. 18, 1944; 11:53 a. m.]

#### PART 1418—TERRITORIES AND POSSESSIONS [MPR 373, Amdt. 79]

#### MISCELLANEOUS COMMODITIES AND SERVICES IN HAWAII

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Maximum Price Regulation 373 is amended in the following respects:

1. Section 25a (b) (1) (vi) is amended by adding a new item to read as follows:

(vi) *Neutral spirits.*

Maximum price  
per drink

Commendador, straight or mixed..... 45¢

2. Section 25a (b) (1) (vii) is added to read as follows:

(vii) *Miscellaneous spirits.*

Maximum price  
per drink

Mexican Domestic Tequila, Habanero, and Vodka..... 40¢

\*8 F.R. 5388.

3. Section 31 (g) is added to read as follows:

(g) The maximum price for the removal of the blackout on a motor vehicle, which has been installed as the result of part 3 of General Order No. 3, as amended, and General Order No. 36 of the Military Governor of the Territory of Hawaii, shall be \$1.50 per blackout removal job. Such removal job shall include any and all removal of paint from headlight lenses, headlights, rear lights and lenses, and the removal of light shutters from the motor vehicle as permitted under the provisions of General Order No. 62 of the Military Governor of the Territory of Hawaii.

4. Section 57 (g) (1) is amended by changing the first sentence thereof to read as follows:

(1) A warranted used car is one in good operating condition for which the dealer furnishes to the purchaser the following warranty in writing:

5. Section 57 (k) is amended to read as follows:

(k) *Report of transfer which must be completed for a sale of a used car.* Every person, when he sells or purchases a used car, shall complete a report of transfer which may be obtained from dealers or from local War Price and Rationing Boards. In the case of used cars subject to Ration Order 2C—Used Passenger Automobiles (that is, all 1938 and later year model used cars), such report of transfer shall be on OPA Form THR 33—Certificate To Purchase A Rationed Passenger Car For Use. In the case of all 1937 and earlier year model used cars, such report of transfer shall be on OPA Form THP-3—Report of Transfer of Used Passenger Automobile.

The seller shall insert the details of the sale on the applicable report form, and shall sign such report and certify as to the truth and accuracy of the same before the Executive Secretary or an authorized clerk of the War Price and Rationing Board that issued the gasoline rations for the car that is being sold. However, where the seller is a dealer, he may sign the appropriate form without appearing before the Board representative. Upon completion of the above requirements, the seller shall deliver such report to the buyer, who shall then sign and certify as to the truth and accuracy of the same before the Executive Secretary or an authorized clerk of his local War Price and Rationing Board. The completed report must then be filed by the buyer with the said Board. This paragraph shall not be applicable to sales when made to dealers.

6. A new section 70 is added to read as follows:

SEC. 70. *Maximum prices for sales of fresh fluid milk at wholesale and retail—*  
(a) *What this section covers.* This section applies to all sales at wholesale and



retail of fresh fluid milk on the Islands of Oahu, Hawaii, Maui, Kauai, and Lanai with the exception of sales of fresh fluid milk in one-half pint containers for consumption on the premises by hotels, restaurants, soda fountains, cafes and other eating establishments located on the Islands of Oahu, Hawaii, and Maui. These excepted sales are covered by the provisions of Restaurant Maximum Price Regulation 9-1.

(b) *Maximum prices on the Island of Oahu.* Maximum prices for fresh fluid milk on the Island of Oahu shall be:

	Quantity	Maximum wholesale price	Maximum retail price
Grade AA.....	Quart.....	\$0.19	\$0.22
Grade AA.....	Pint.....	.11	.13
Grade AA.....	1/2 Pint.....	.055	.08
Grade A.....	Quart.....	.17	.20
Grade A.....	Pint.....	.10	.12
Grade A.....	1/2 Pint.....	.08	.10
Grade A.....	1/4 Pint.....	.05	.07
Certified milk.....	Quart.....	.20	.23
Certified milk.....	Pint.....	.12	.14
Certified Jersey milk.....	Quart.....	.26	.29
Certified Jersey milk.....	Pint.....	.15	.16
Certified Jersey milk.....	1/2 Pint.....	.08	.10

(c) *Maximum prices on the Islands of Hawaii, Maui, Kauai and Lanai.* Maximum prices for fresh fluid milk on the Islands of Hawaii, Maui, Kauai, and Lanai shall be:

	Quantity	Maximum wholesale price	Maximum retail price
Grade AA.....	Quart.....	\$0.17	\$0.20
Grade AA.....	Pint.....	.09	.11
Grade AA.....	1/2 Pint.....	.05	.07
Grade A.....	Quart.....	.15	.18
Grade A.....	Pint.....	.08	.10
Grade A.....	1/2 Pint.....	.06	.08
Grade A.....	1/4 Pint.....	.045	.06

In the case of sales on the Island of Lanai of any fresh fluid milk transported from the Island of Maui, one cent per quart may be added to the maximum prices set forth above.

(d) *Inability to price.* If you are unable to determine your maximum price for sales of any fresh fluid milk in quantities and grades not set forth in paragraphs (b) and (c), you shall apply the provisions of Section 9a of this regulation to determine your maximum price.

(e) *Maximum prices for flavored milk.* Maximum wholesale and retail prices for flavored fresh fluid milk shall not exceed the maximum wholesale and retail prices established by paragraphs (b), (c) and (d) of this section for Grade A fresh fluid milk.

(f) *Grading.* All grades of fresh fluid milk refer to the specifications therefor established by the Board of Health of the Territory of Hawaii and contained in the Public Health Dairy Regulations under the heading, "Classification and Grading of Milk."

This amendment shall become effective as follows:

a. As to section 25a (b) (1) (vi) and (vii), as of July 20, 1944.

b. As to section 31 (g), as of July 21, 1944.

c. As to section 57 (g) and (k), as of August 1, 1944.

d. As to section 70, as of August 1, 1944.

Issued this 18th day of September 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-14400; Filed, Sept. 18, 1944; 11:56 a. m.]

#### PART 1418—TERRITORIES AND POSSESSIONS [MPR 373, Amdt. 80]

##### TEXTILE PRINTING IN HAWAII

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Section 58 is amended to read as follows:

SEC. 58. *Maximum prices for textile printing.*—(a) *Scope of this section.* This section fixes maximum prices for all textile printing in the Territory of Hawaii, including hand-carved linoleum block printing, wood and zinc block printing, and screen printing.

(b) *Maximum prices.* The maximum price for the textile printing of any article listed in Table A which has not heretofore been so printed shall be determined as follows:

(1) *An article printed with 100% textile ink.*—(i) *Hand-carved linoleum block prints.* The maximum price for linoleum block printing such article shall be either:

(a) The price listed in Column I of Table A for the article, or

(b) An amount determined by multiplying the maximum wholesale price of the finished unblocked article by the fraction listed in Column II of Table A for such article.

However, the maximum price for such article shall in no event exceed the dollars and cents price listed in Column III of Table A for such article.

(ii) *Wood or zinc block prints or screen prints.* The maximum price for wood or zinc printing or for screen printing such article shall be one-half the maximum price for linoleum block printing such article as determined under subparagraph (1) (i) above.

(2) *An article printed with a medium other than 100% textile ink.*—(i) *Hand-carved linoleum block prints.* The maximum price for linoleum block printing such article shall be one-half the maximum price for linoleum block printing such article with 100% textile ink as determined under subparagraph (1) (i), above.

(ii) *Wood or zinc block prints or screen prints.* The maximum price for wood or zinc block printing or for screen

\*Copies may be obtained from the Office of Price Administration.  
18 F.R. 5388.

printing such article shall be one-fourth the maximum price for linoleum block printing such article with 100% textile ink as determined under subparagraph (1) (i), above.

(3) *Rounding off of maximum prices.* Any maximum price determined under this paragraph (b) shall be adjusted to the nearest nickel.

(c) *Inability to price.* Any person who is unable to determine his maximum prices for any textile printing covered by this section shall apply the provisions of section 9a of this regulation to determine his maximum price.

(d) *Records and reports.* In addition to such records as the seller is required to keep under section 10 (a) (1) of this regulation, every person making a charge for textile printing, including hand-carved linoleum block printing, wood and zinc block printing, and screen printing, shall furnish the buyer at the time of delivery with a written invoice or sales memorandum, setting forth the following information:

- (1) The date of sale.
- (2) The name and address of the buyer and seller.
- (3) A description of the item printed and the number of each such item.
- (4) The type of textile printing used.
- (5) The method used in pricing the textile printing, i. e., "Column I" or "Column II".
- (6) The word "Textile" or "T" if 100% textile ink is used in reproducing the printing.
- (7) The price paid or received.

A duplicate of this invoice or sales memorandum must be kept by the seller for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect.

(e) *Definitions.* When used in this section 58, the term:

- (1) "Textile printing" means printing on cloth.
- (2) "Block printing" is the reproduction of a decorative design or pattern on cloth by means of a carved linoleum, zinc, or wood block, whereby the finished print is executed manually with respect to each unit printed in the Territory of Hawaii.
- (3) "Screen printing" is the reproduction of a decorative design or pattern by means of forcing paint through a design on a screen.
- (4) "Textile inks" are those inks commonly known as and labeled as textile inks.

TABLE A

Article	Column I	Column II	Column III
Aprons.....	\$0.25		
Aprons with bib, both blocked.....	.50	1/4	
Blouse, front.....	.30	1/5	
Blouse, sleeve, each.....	.25	1/5	
Dresses and jumpers, blouse and skirt blocked.....	.90	1/5	\$2.00
Handkerchiefs, 41" to 64" perimeter.....	.10	1/3	
Handkerchiefs, over 64" perimeter.....	.15	1/3	
Handkerchiefs, up to 40" perimeter.....	.05	1/3	
Jackets, bed.....	.40	1/3	1.50
Lingerie cases, up to 40" perimeter.....	.15	1/6	
Lingerie cases, 41" to 90" perimeter.....	.25	1/6	
Lingerie cases, over 90" perimeter.....	.35	1/6	



TABLE A—Continued

Article	Column I	Column II	Column III
Mats, place.....	.20	1/2	-----
Napkins, up to 64" perimeter.....	.10	1/2	-----
Napkins, over 64" perimeter.....	.15	1/2	-----
Napkins, cocktail.....	.10	1/3	-----
Neckties.....	.10	1/10	-----
Nightgowns, top and skirt.....	1.00	1/5	\$2.00
Pajamas, lounging.....	1.30	1/4	4.00
Pajamas, sleeping.....	.75	1/4	-----
Pillowcase.....	.25	1/3	-----
Pillow tops, all over design.....	.50	1/3	-----
Pinafores and skirts with straps.....	.75	1/5	-----
Pocket pieces for slacks, skirts or blouses or shirts.....	.10	1/50	-----
Pocket pieces for slacks, skirts, or blouses or shirts, over 8" x 8".....	.15	1/50	-----
Pockets on slacks, skirt, blouse, shirt.....	.15	1/50	-----
Purses, perimeter up to 46".....	.15	1/6	-----
Purses, perimeter 41" to 90".....	.25	1/6	-----
Purses, perimeter over 90".....	.35	1/6	-----
Purses, all over design, perimeter over 48".....	.35	1/3	-----
Robes, kimonos, negligees, hostess or breakfast coats.....	1.30	1/4	4.00
Runners, up to 96" perimeter.....	.35	1/3	-----
Runners, over 96" perimeter.....	.50	1/3	-----
Scarfs, long, not less than 124" perimeter.....	.50	1/3	-----
Scarfs, head, perimeter not less than 96".....	.35	1/5	-----
Sheets, bed.....	.25	1/6	-----
Shirts, men's sport, back or front or both.....	.30	1/4	-----
Shorts, swimming, sports wear.....	.25	1/10	-----
Shirts, T. polo shirts, undershirts, front and back, or both.....	.25	1/4	-----
Shorts and Bra, swimming, both blocked.....	.50	1/6	-----
Skirts.....	.60	1/5	2.00
Slacks, both jacket and trousers blocked.....	1.00	1/5	2.00
Swimming suits, top and skirt blocked.....	.75	1/6	2.00
Tablecloths up to 144" perimeter.....	1.10	1/2	2.00
Tablecloths up to 180" perimeter.....	1.30	1/2	4.00
Tablecloths up to 216" perimeter.....	1.75	1/2	4.00
Tablecloths over 216" perimeter.....	2.00	1/2	4.00
Towels up to 60" perimeter.....	.15	1/4	-----
Towels 61" to 100" perimeter.....	.20	1/4	-----
Towels over 100" perimeter.....	.25	1/4	-----
Turbans.....	.35	1/5	-----
Aprons, bib only blocked.....	.10	1/6	-----
Aprons, bib and pocket blocked.....	.20	1/6	-----
Apron with skirt bordered.....	.35	1/4	-----
Blankets, baby.....	.15	1/6	-----
Blouses.....	.15	1/6	-----
Jumpers or dresses—blouses and skirt blocked.....	.50	1/5	-----
Kimonos, robes.....	.50	1/4	-----
Pajamas, lounging, blouse and trouser blocked.....	.50	1/4	-----
Pajamas, sleeping.....	.35	1/6	-----
Pillow, baby.....	.20	1/6	-----
Pinafores, blouse and skirt blocked.....	.50	1/5	-----
Pockets.....	.10	1/50	-----
Shirts, polo, T. Sport.....	.10	1/10	-----
Shorts, swimming, sports wear.....	.15	1/6	-----
Sleeve, each.....	.10	1/6	-----
Sun suit, bib only blocked.....	.10	1/6	-----
Sun suit, bib and pocket blocked.....	.20	1/6	-----
Sweaters.....	.10	1/10	-----
Swimming suit, top and skirt blocked.....	.35	1/6	-----
Swimming shorts and bra blocked.....	.25	1/6	-----

This amendment shall become effective as of September 1, 1944.

NOTE: The reporting and record-keeping provisions of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 18th day of September 1944.

CHESTER BOWLES,  
Administrator,

[F. R. Doc. 44-14401; Filed, Sept. 18, 1944;  
11:57 a. m.]

# PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 426, Amdt. 57]

## FRESH FRUITS AND VEGETABLES FOR TABLE USE, SALES EXCEPT AT RETAIL

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.\*

Maximum Price Regulation 426 is amended in the following respects:

1. Section 2a is added to read as follows:

SEC. 2a. *Individual authorization of maximum prices in certain cases—(a) Sales covered.* This section applies to sales of items made to members of the armed forces of the United States by any person through Post Exchanges, Ship's Stores and similar agencies, where delivery is to be made in the continental United States to a person designated by the buyer. The maximum prices otherwise established by this regulation do not apply to these sales. Until a maximum price is established pursuant to this section, the seller may deliver the item but may not charge or receive payment for it.

(b) *Application for maximum prices.* For sales of an item covered by this section the seller shall apply to the Office of Price Administration, Washington, D. C., for a maximum price. The application in each case shall be in writing and show the following:

(1) The name and address of the seller;

(2) The classification into which he normally falls under this regulation;

(3) A description of the item (as for example: kind of fruit, container type and size, weight of contents, etc.);

(4) The figure to which he would add any markup in determining a maximum price for the item under any other section of this regulation, but not including transportation charges or allowances for protective services;

(5) The point or points from which deliveries will be made, the estimated number of deliveries to each general freight zone in the United States, and the estimated freight charge for each such delivery; and

(6) The proposed maximum price for the item and a statement showing how the requested price was figured.

(c) *Establishment of maximum prices.* In appropriate cases the Administrator will, by order, establish a uniform maximum price for sales of the item delivered at any place in the continental United States.

2. Section 5 is amended to read as follows:

\*Copies may be obtained from the Office of Price Administration.

18 F.R. 16409, 16294, 16519, 16423, 17373; 8 F.R. 790, 902, 1581, 2008, 2023, 2091, 2493, 4030, 4086, 4088, 4434, 4788, 4787, 4877, 5926, 5929, 6104, 6108, 6420, 6711, 7259, 7288, 7434, 7425, 7580, 7583, 7759, 7774, 7834, 8148, 9066, 9090, 9289, 9356, 9509, 9512, 9549, 9785.

SEC. 5. *Exempt sales.* This regulation does not apply to the following sales:

(a) Sales at retail.

(b) Sales of mixed packages of fresh fruits to ultimate consumers, subject to the following conditions:

(1) The sale is made by the packer of the package and delivery is made either to the buyer in person or to him or his designee by mail or express;

(2) Each package contains not more than 28 pounds net weight, of which not more than 20% by weight may consist of commodities other than fresh fruits, such as, for example, dried fruit, glazed fruit, nuts, jellies, preserves, etc.;

(3) Not more than five mixed packages of fresh fruits covered by the sale are delivered in one lot to any one ultimate consumer, whether it be to the buyer or to his designee;

(4) Within five days after purchasing any fresh fruit which is to be sold in mixed packages of fresh fruits, the packer shall file an affidavit with the regional office of the Office of Price Administration for the region in which he is located, showing his name and address, the name and address of the person from whom he purchased the fruit, the date of the purchase, the quantity and a description of the fruit, and containing a statement that the fruit was purchased or received for sale in mixed packages of fresh fruits.

(c) Sales, by growers or country shippers, to packers of mixed packages of fresh fruits if the particular fresh fruit sold is to be used and sold under paragraph (b), as above.

3. Section 8 (a) (4) is amended to read as follows:

(4) "Retailer" means a person the larger volume of whose food business is the purchase and resale of food products, without materially changing their form, to ultimate consumers.

This amendment shall become effective September 23, 1944.

NOTE: The reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

Issued this 18th day of September 1944.

JAMES G. ROGERS, Jr.,  
Acting Administrator.

Approved: September 9, 1944.

GROVER B. HILL,  
First Assistant War Food  
Administrator.

[F. R. Doc. 44-14402; Filed, Sept. 18, 1944;  
11:53 a. m.]

## PART 1499—COMMODITIES AND SERVICES [Rev. SR 1 to GMPR, Amdt. 79]

### NATIVE OR ISLAND TWIST CHEWING TOBACCO

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.\*



Section 4.6 (k) is amended to read as follows:

(k) Native or island twist chewing tobacco sold to or by the Federal Surplus Commodity Corporation or by another agency of the government of the United States. "Native or island twist chewing tobacco" means twist chewing tobacco pressed flat and made of fire-cured or dark air-cured tobacco, or a combination of both; and treated with a casing mixture of molasses, syrup, glycerin, alcohol and such flavorings as are normally used on twist tobacco consumed by the natives of New Guinea, the Solomons and other islands in the Southwest Pacific area.

Prior to the effective date of any contract for the sale of native or island twist chewing tobacco to or by the Federal Surplus Commodity Corporation or by another agency of the government of the United States (or, if the contract is already in effect, within ten days from September 23, 1944), the seller shall submit to the Office of Price Administration, Tobacco Section, Washington 25, D. C., a copy of such contract or a statement setting forth the date and terms thereof, including the quantity of twist chewing tobacco sold or to be sold, the name and address of the purchaser and the price paid or agreed to be paid therefor.

This amendment shall become effective September 23, 1944.

Issued this 18th day of September 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-14406; Filed, Sept. 18, 1944;  
11:59 a. m.]

## TITLE 46—SHIPPING

### Chapter I—Coast Guard: Inspection and Navigation

#### Subchapter G—Ocean and Coastwise: General Rules and Regulations

#### PARTITIONS BETWEEN TOILETS IN TOILET ROOMS AND NUMBER OF TOILETS TO BE PROVIDED FOR MEMBERS OF THE CREW ON EC-2-S-C1 CARGO VESSELS

Vessels engaged in business connected with the conduct of the war.

The Acting Secretary of the Navy having by order dated 1 October 1942 (7 F.R. 7979), waived compliance with the Navigation and Vessel Inspection laws administered by the United States Coast Guard, in the case of any vessel engaged in business connected with the conduct of the war to the extent and in the manner that the Commandant, U. S. Coast Guard, shall find to be necessary in the conduct of the war; and

The United States Maritime Commission having indicated that the efficient prosecution of the war would be impeded by the application to certain ocean and coastwise cargo vessels of certain inspection regulations requiring partitions between toilets in toilet rooms and an increased number of toilets;

Now, therefore, upon request of the United States Maritime Commission, I hereby find it to be necessary in the conduct of the war that there be waived compliance with the vessel inspection

regulations administered by the U. S. Coast Guard, 46 C. F. R. 63.18, to the extent necessary to permit the omission of partitions between toilets and to permit the omission of a toilet in the deck department toilet room on the starboard side of the midship house on EC-2-S-C1 Cargo vessels.

Dated: September 16, 1944.

R. R. WAESCHE,  
Vice Admiral, USCG,  
Commandant.

[F. R. Doc. 44-14383; Filed, Sept. 18, 1944;  
10:10 a. m.]

### Chapter III—War Shipping Administration

[G. O. 37, Supp. 5]

#### PART 302—CONTRACTS WITH VESSEL OWNERS AND RATES OF COMPENSATION RELATING THERETO

##### VALUES AND RATES OF CHARTER HIRE

Whereas it has been deemed advisable and necessary to include ore carriers within the scope of General Order 37 (§§ 302.101 to 302.113, inclusive), It is ordered, That General Order 37 be amended as set forth below and that all findings and interpretations heretofore made by the Administrator with respect to General Order 37 be deemed applicable to the vessels covered by this supplement.

Section 302.102 *Scope of order* is amended by striking out, in paragraph (b), first sentence, the words "ore carriers."

Section 302.103 *Vessels built during or after 1935* is amended by inserting the following three columns of figures above those appearing under the respective column headings in paragraph (c) (2):

Tonnage	Rate per dead-weight ton per month	But the aggregate monthly service rate shall not exceed—
23,000 and over.....	\$1.025	\$24,000
22,000-22,999.....	1.05	23,575
21,000-21,999.....	1.075	23,100
20,000-20,999.....	1.10	22,575
19,000-19,999.....	1.15	22,000
18,000-18,999.....	1.20	21,850
17,000-17,999.....	1.25	21,600
16,000-16,999.....	1.325	21,250
15,000-15,999.....	1.40	21,200

Section 302.104 *Vessels built during the period 1914-1934* is amended by inserting the following three columns of figures above those appearing under the respective column headings in paragraph (c) (2):

Tonnage	Rate per dead-weight ton per month	But the aggregate monthly service rate shall not exceed
23,000 and over.....	\$1.025	\$24,000
22,000-22,999.....	1.05	23,575
21,000-21,999.....	1.075	23,100
20,000-20,999.....	1.10	22,575
19,000-19,999.....	1.15	22,000
18,000-18,999.....	1.20	21,850
17,000-17,999.....	1.25	21,600
16,000-16,999.....	1.325	21,250
15,000-15,999.....	1.40	21,200

Section 302.109 *Definitions* is amended by adding the following paragraph:

(f) *Ore carrier*. An ore carrier, for the purpose of this order, shall be considered to be a dry cargo vessel.

(E.O. 9054, 7 F.R. 837)

[SEAL]

E. S. LAND,  
Administrator.

SEPTEMBER 16, 1944.

[F. R. Doc. 44-14382; Filed, Sept. 18, 1944;  
10:01 a. m.]

[G. O. 16, Amdt. 1 to Supp. 7]

#### PART 303—CONTRACTS FOR CARRIAGE ON VESSELS OWNED OR CHARTERED BY THE WAR SHIPPING ADMINISTRATION

##### UNIFORM OCEAN BILL OF LADING FOR GOVERNMENT CARGO

§ 303.33 *Uniform ocean bill of lading for government cargo*. "Warshipshortblading (U. S. Gov. Form)". (a) All operators of vessels owned by or under bareboat or time charter to or operated by or for the use or account of the United States of America, War Shipping Administration, shall, as soon as possible after September 15, 1944, on all shipments of cargo owned or made by agencies or departments of the United States Government in foreign trade, use or cause to be used the uniform ocean bill of lading for government cargo designated "Warshipshortblading (U. S. Gov. Form) 9/1/44" which shall be presented for issuance by the government agency shipper to the carrier at the time of shipment.

(b) Said bill of lading shall be identical with the form prescribed by §§ 303.32 and 303.32a (General Order 16, Supp. 7 and Supp. 9) except that the designation "Warshipshortblading (U. S. Gov. Form) 9/1/44" shall be substituted for the designation "Warshipshortblading 12/15/42" wherever the latter appears in said form and except that the name of the steamship company at the top of the face and in the signature of the said government form shall be left blank. Upon presentation of the bill of lading, the government agency shipper shall insert the name of the proper steamship company.

(c) As the said government form bills of lading, "Warshipshortblading (U. S. Gov. Form) 9/1/44" will be secured by the various government agencies, it will not be necessary for operators to print them or maintain a supply.

(E.O. 9054, 7 F. R. 837)

[SEAL]

E. S. LAND,  
Administrator.

SEPTEMBER 15, 1944.

[F. R. Doc. 44-14381; Filed, Sept. 18, 1944;  
10:01 a. m.]

## TITLE 49—TRANSPORTATION AND RAILROADS

### Chapter II—Office of Defense Transportation

[Suspension Order ODT 9A-1C]

#### PART 522—DIRECTION OF TRAFFIC MOVEMENT—EXCEPTIONS, SUSPENSIONS AND PERMITS

MOVEMENT OF COAL ON THE GREAT LAKES  
Pursuant to Executive Order 8989, as amended, it is hereby ordered that:



§ 522.605 *Suspension of provisions of General Order ODT 9A.* All provisions of General Order ODT 9A (8 F.R. 6381), shall be, and they hereby are, suspended until further order of this office.

Suspension Order ODT 9A-1B (9 F.R. 7859) issued on July 13, 1944, shall be, and the same hereby is, revoked.

(E.O. 8989, 6 F.R. 6725 and 8 F.R. 14183)

This suspension order shall become effective at 11:59 p. m. September 14, 1944.

Issued at Washington, D. C., this 14th day of September 1944.

J. M. JOHNSON,  
Director,

Office of Defense Transportation.

[F. R. Doc. 44-14321; Filed, Sept. 16, 1944;  
11:26 a. m.]

## TITLE 50—WILDLIFE

### Chapter I—Fish and Wildlife Service

#### PART 26—EAST CENTRAL REGION NATIONAL WILDLIFE REFUGES

##### FISHING; Necedah National Wildlife Refuge, Wisconsin

Under authority of section 10 of the Migratory Bird Conservation Act of February 18, 1929 (45 Stat. 1222; 16 U.S.C. 715i), as amended, the following is ordered:

§ 26.678 *Fishing within the Necedah National Wildlife Refuge, Wisconsin.* Fishing with hook and line only (non-commercial, as defined by the State of Wisconsin laws), is permitted during the months of January and February in all of its waters of the Necedah National Wildlife Refuge and during the period May 30 to Labor Day, both inclusive, in that part of Rynearson Flowage No. 1, as marked by suitable posting, lying south of the Becker Road and the south line of T. 19 N., R. 3 E., and east of the chain of islands.

Entry on and use of the refuge for any purpose is governed by the regulations of the Secretary dated December 19, 1940, (5 F.R. 5284) and strict compliance therewith is required. Fishermen may not use motor boats of any kind and must follow such routes of travel within the refuge as are designated by posting. In addition all fishermen must comply with State fishing laws and regulations, and must have on their person and exhibit at the request of any authorized Federal or State officer whatever license is required by such laws and regulations.

The regulations of the Secretary of the Interior of June 7, 1940 (5 F.R. 2271) are hereby revoked.

OSCAR L. CHAPMAN,  
Assistant Secretary.

SEPTEMBER 13, 1944.

[F. R. Doc. 44-14388; Filed, Sept. 18, 1944;  
11:08 a. m.]

## Notices

### DEPARTMENT OF THE INTERIOR.

#### Office of the Secretary.

[Order 1991]

#### CHRISTOPHER NO. 6 MINE, ET AL.

##### POSSESSION OF COAL MINES

Pursuant to the provisions of Executive Order No. 9482, issued by the President of the United States on September 14, 1944, Government possession is hereby taken, effective forthwith, of each and all of the mines listed in the appendix attached hereto and made a part hereof, and of any and all real and personal property and other assets used in connection with the operation thereof.

The regulations for the operation of coal mines under Government control, as amended (8 F.R. 6655, 10712, 11344, 17339) heretofore issued by the Secretary of the Interior shall be applicable to the properties possession of which is taken by this order, except as may be otherwise directed.

Each of the persons whose name is listed in the appendix is hereby designated as operating manager for the United States for the properties as indicated in the appendix. As operating manager for the United States, each is authorized and directed to operate any and all such properties in accordance with the aforementioned regulations for the operation of coal mines under Government control and such further directions as may from time to time be issued, and to do all things necessary and appropriate for the operation of such properties and for the production, distribution and sale of their products.

The operating manager for the United States shall forthwith fly the flag of the United States at each such property, and shall display conspicuously thereat copies of a poster, reading as follows:

NOTICE: In accordance with the proclamation of the President of the United States, Government possession of the mines, colliers and preparation facilities of this mining company has been taken by order of the Secretary of the Interior.

HAROLD L. ICKES,  
Secretary of the Interior.

Dated: September 15, 1944.

[SEAL] HAROLD L. ICKES,  
Secretary of the Interior.

#### APPENDIX

##### Name of Mine and Name of Operating Manager for the United States

Christopher No. 6 Mine, Christopher Mining Co., Four States, W. Va., Frank E. Christopher.

Eccles Nos. 5 and 6 Mines, Crab Orchard Improvement Co., Eccles, W. Va., George B. Harrington.

Mine No. 7, Eastern Coal Corp., McVeigh, Ky., Laurence E. Tierney, Jr.

Besoco Mine, Lecony Smokeless Fuel Co., Besoco, W. Va., Harry E. Moran.

Richard No. 21, Industrial Collieries Corporation, Dellslow, W. Va., M. L. Jacobs.  
Barrackville No. 41 Mine, Industrial Collieries Corporation, Barrackville, W. Va., M. L. Jacobs.

Dakota No. 42 Mine, Industrial Collieries Corporation, Dakota, W. Va., M. L. Jacobs.

Carolina No. 43 Mine, Industrial Collieries Corporation, Carolina, W. Va., M. L. Jacobs.

Lillybrook Mine, Lillybrook Coal Co., Lillybrook, W. Va., E. S. Pugh.

Killarney Mine, Lillybrook Coal Co., Killarney, W. Va., E. S. Pugh.

Mead Nos. 2, 3 and 6 Mines, C. H. Mead Coal Co., Eastgulf, W. Va., H. G. Schmidt.

Octavia Mine, Octavia Coal Mining Corporation, McAndrews, Ky., H. G. Tildesley.

Glen Rogers No. 2 Mine, Raleigh Wyoming Mining Co., Glen Rogers, W. Va., L. T. Putman.

Booth No. 2 Mine, River Seam Coal Co., Booth, W. Va., R. L. Wilson.

Morgan Mine, Virginia & Pittsburgh Coal & Coke Co., Elversville, W. Va., Robert W. Hanna.

Wyco Mine, Wyoming Coal Co., Wyco, W. Va., W. P. Tams, Jr.

[F. R. Doc. 44-14387; Filed, Sept. 18, 1944;  
11:07 a. m.]

### FEDERAL POWER COMMISSION.

[Docket No. G-577]

#### KANSAS-COLORADO UTILITIES, INC.

##### ORDER FIXING DATE OF HEARING

SEPTEMBER 12, 1944.

Upon consideration of the application filed September 2, 1944, by Kansas-Colorado Utilities, Inc., for a certificate of public convenience and necessity pursuant to section 7 (c) of the Natural Gas Act, as amended, to authorize Applicant's acquisition and operation of all the natural gas facilities of The Central Gas Utilities Company, which facilities are located in Baca and Prowers Counties, Colorado, and Stevens, Stanton, Hamilton and Grant Counties, Kansas;

The Commission orders that: (a) A public hearing be held commencing on October 24, 1944, at 10:00 a. m., in room 314, Post Office Building, Denver, Colorado, concerning the matters involved and the issues presented in these proceedings;

(b) Interested State commissions may participate in said hearing as provided in § 67.4 of the provisional rules of practice and regulations under the Natural Gas Act.

By the Commission.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 44-14379; Filed, Sept. 18, 1944;  
9:36 a. m.]

[Docket No. G-576]

#### CITIES SERVICE GAS CO.

##### ORDER FIXING DATE OF HEARING

SEPTEMBER 12, 1944.

Upon consideration of the application filed August 30, 1944, by Cities Service



Gas Company (Applicant), for a certificate of public convenience and necessity pursuant to section 7 (c) of the Natural Gas Act, as amended, to authorize the construction and operation of the following facilities:

(1) 52 miles of 16-inch gas pipeline from Applicant's present facilities in the Burbank Field near Shidler, Osage County, Oklahoma, to Applicant's Cotton Valley measuring station, Washington County, Oklahoma;

(2) 6.4 miles of 16-inch gas pipeline between Applicant's Altoona 16-inch line and Vilas 16-inch line, Wilson County, Kansas;

(3) A closed engine jacket water system and two dust scrubbers at Applicant's Grabham compressing station, Montgomery County, Kansas;

(4) Two dust scrubbers at Applicant's Petrolia compressing station, Allen County, Kansas;

The Commission orders that: (a) A public hearing be held commencing on October 18, 1944, at 2:00 p. m., in room 527, Federal Building, Kansas City, Missouri, concerning the matters involved and the issues presented in this proceeding;

(b) Interested State commissions may participate in said hearing as provided in § 67.4 of the provisional rules of practice and regulations under the Natural Gas Act.

By the Commission.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 44-14375; Filed, Sept. 18, 1944,  
9:39 a. m.]

[Docket No. G-564]

CANADIAN RIVER GAS CO.

ORDER FIXING DATE OF HEARING

SEPTEMBER 12, 1944.

Upon consideration of the application filed on August 3, 1944, by Canadian River Gas Company, for a certificate of public convenience and necessity pursuant to section 7 (c) of the Natural Gas Act, as amended, to authorize the construction and operation of an additional 600-horsepower compressor unit and a 125-kva electric generator and other necessary equipment at Applicant's Dalhart compressor station, located near Dalhart, Texas;

The Commission orders that: (a) A public hearing be held commencing on October 23, 1944, at 2:00 p. m., in room 314, Post Office Building, Denver, Colorado, concerning the matters involved and the issues presented in these proceedings;

(b) Interested State commissions may participate in said hearing as provided in § 67.4 of the provisional rules of practice and regulations under the Natural Gas Act.

By the Commission.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 44-14374; Filed, Sept. 18, 1944;  
9:39 a. m.]

## FEDERAL TRADE COMMISSION.

[No. 202-2]

FLORIDA HARD ROCK PHOSPHATE EXPORT ASSN., ET AL.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 14th day of September, A. D. 1944.

This matter being under investigation and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That John W. Norwood, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Monday, September 25, 1944, at ten o'clock in the forenoon of that day (eastern standard time), in hearing room of the Federal Trade Commission Building, 6th and Constitution Avenue, Washington, D. C.

By the Commission.

[SEAL] OTIS B. JOHNSON,  
Secretary.

[F. R. Doc. 44-14316; Filed, Sept. 16, 1944;  
11:14 a. m.]

[No. 202-3]

PHOSPHATE EXPORT ASSN., ET AL.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 14th day of September, A. D. 1944.

This matter being under investigation and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That John W. Norwood, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Monday, October 16, 1944, at ten o'clock in the forenoon of that day (eastern standard time) in hearing room, Federal Trade Commission Building, 6th and Constitution Avenue, Washington, D. C.

By the Commission.

[SEAL] OTIS B. JOHNSON,  
Secretary.

[F. R. Doc. 44-14317; Filed, Sept. 16, 1944;  
11:14 a. m.]

## INTERSTATE COMMERCE COMMISSION.

[S. O. 233]

SHIPMENT OF ROCK AT ORMAND, CALIF.

At a session of the Interstate Commerce Commission, Division 3, held at

its office in Washington, D. C., on the 15th day of September, A. D. 1944.

It appearing, that shipments of rock in carloads originating at Ormand, California, and destined to The U. S. Naval Magazine and Net Depot, Anaheim Landing, California, for use on government construction at Anaheim Landing are being weighed on railroad track scales, thus impeding the use, control, supply, movement, and distribution of cars; in the opinion of the Commission an emergency exists requiring immediate action to avoid a shortage of equipment and congestion of traffic; it is ordered, that:

*Carloads of rock destined to Anaheim Landing, California, for use on government construction at the Naval Depot, not to be weighed.* (a) No common carrier by railroad subject to the Interstate Commerce Act shall weigh, or permit to be weighed, any shipment of rock in carloads, on any railroad track scales when such traffic originates on or after the effective date of this order at Ormand, California, and is destined to Anaheim Landing, California, for use on government construction at the Naval Depot, except that a representative number may be weighed to obtain average weights, in accordance with the following provisions:

(1) One entire trainload to be weighed once each week;

(2) Such weighing shall be performed on a selected different day of each succeeding week;

(3) J. G. Oliver, Chief Inspector, Transcontinental Freight Bureau, Weighing and Inspection Department, is hereby appointed to designate which trainload, after it has left the quarry, shall be weighed, and to determine the day of the week on which such weighing shall be performed;

(4) When the train selected includes less than ten (10) cars of any type rock, the weights of all cars of that type rock obtained the previous week shall be added to compute the average weight per car of that particular type of rock;

(5) Under this order the first week shall start at 12:01 a. m., September 16, 1944, Pacific War Time.

(b) *Tariffs suspended.* The operation of all tariff rules or regulations insofar as they conflict with the provisions of this order is hereby suspended.

(c) *Announcement of suspension.* Each of such railroads shall publish, file, and post a supplement to each of its tariffs affected hereby, in substantial accordance with the provisions of Rule 9 (k) of the Commission's Tariff Circular No. 20 announcing the suspension of provisions in such tariffs conflicting with this order. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U. S. C. 1 (10)-(17).)

It is further ordered, That this order shall become effective at 12:01 a. m., September 16, 1944, and that a copy of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it



with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,  
Secretary.

[F. R. Doc. 44-14315; Filed, Sept. 16, 1944;  
11:12 a. m.]

# OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 2333, Amdt.]

## KABUSHIKI KAISHA MITSUKOSHI

In re: Chattel mortgage and second mortgage on real properties located in Honolulu, T. H., owned by Kabushiki Kaisha Mitsukoshi, also known as Mitsukoshi, Limited.

Vesting Order Number 2333, dated October 5, 1943, is hereby amended as follows and not otherwise:

By deleting subparagraph 3-b of said vesting order and substituting therefor the following language:

b. A second mortgage executed on July 24, 1941 by International Enterprises, Limited, as mortgagor, in favor of Kabushiki Kaisha Mitsukoshi, also known as Mitsukoshi, Limited, as mortgagee, and recorded on August 11, 1941 in the Office of the Registrar, Bureau of Conveyances, Honolulu, T. H., in Liber 1655 at pages 465-475, and any and all obligations secured by said mortgage, including but not limited to all security rights in and to any and all collateral (including the aforesaid mortgage) for any and all of such obligations and the right to enforce and collect such obligations, and the right to the possession of any and all notes, bonds and other instruments evidencing such obligations,

All other provisions of said Vesting Order Number 2333 and all action taken on behalf of the undersigned in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on September 14, 1944.

[SEAL]

JAMES E. MARKHAM,  
Alien Property Custodian.

[F. R. Doc. 44-14391; Filed, Sept. 18, 1944;  
10:48 a. m.]

# OFFICE OF DEFENSE TRANSPORTATION.

[Supp. Order ODT 25A-1]

## COMMON CARRIERS

OPERATIONS BETWEEN ASHTABULA, OHIO, AND KENOSHA, WIS.

Pursuant to the provisions of § 502.79 of General Order ODT 25A, as amended, (8 F.R. 7778, 9 F.R. 4652), *It is hereby ordered, That:*

1. J. A. Paisley Steamship Company, Cleveland, Ohio, on or before September 25, 1944, shall make available to Philadelphia and Reading Coal & Iron Company at Ashtabula, Ohio, a vessel of the self-unloader belt type for the loading of approximately 6,000 tons of anthracite buckwheat coal and thereafter shall transport such coal to a point of

unloading at Kenosha, Wisconsin, designated by The Dunnebacke Company.

2. Communications concerning this order should refer to "Supplementary Order ODT 25A-1" and should be addressed to Great Lakes Carriers Division, Water Transport Department, Office of Defense Transportation, 2209 Terminal Tower, Cleveland, Ohio.

Issued at Washington, D. C., this 16th day of September 1944.

J. M. JOHNSON,  
Director,

Office of Defense Transportation.

[F. R. Doc. 44-14320; Filed, Sept. 16, 1944;  
11:26 a. m.]

[ODT Certificate S-4]

## COMMON CARRIERS

SUBSTITUTION OF RAIL FOR MOTOR COMMON CARRIER SERVICE BETWEEN MINNEAPOLIS AND ST. PAUL, MINN., AND POINTS IN SOUTH DAKOTA

Pursuant to Executive Orders 8989, as amended, and 9156, and in order to provide for the conservation and more efficient utilization of vital transportation facilities, and to prevent and alleviate traffic congestion,

I hereby find and certify that the substitution of rail transportation for that of motor common carrier between Minneapolis and St. Paul, Minnesota, on the one hand, and Aberdeen, Clark, Redfield, Watertown, and Webster, South Dakota, on the other, by Matt W. Hanten and Roy Wheaton, a partnership, doing business as Western Transportation Company, a motor common carrier, will not adversely affect the transportation of freight by railroad and will aid in conserving motor carrier transportation facilities.

Issued at Washington, D. C., this 18th day of September 1944.

J. M. JOHNSON,  
Director,

Office of Defense Transportation.

[F. R. Doc. 44-14353; Filed, Sept. 16, 1944;  
2:14 p. m.]

# OFFICE OF PRICE ADMINISTRATION.

[RMPR 506, Orders 1-21, Amdt. 1; Order 22, Amdt. 2; Orders 23-63, Amdt. 1]

## STAPLE WORK GLOVES

### ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered, That* Order Nos. 1 to 63, inclusive, under section 4 (b) of Revised Maximum

Price Regulation 503 be amended in the following respects:

1. At the end of paragraph (a) of each order the following undesignated paragraph is added:

For sales and deliveries, on and after September 1, 1944, of the staple work glove numbers listed in this paragraph (a), the manufacturer's ceiling prices shall be the ceiling prices specified above for the particular style number, multiplied by 104%. Wholesalers who purchase these staple glove numbers may make "regular sales" at wholesale of any of these numbers which they purchase on or after September 1, 1944, at or below a price calculated by multiplying the applicable ceiling price listed in Column B by 102.7%. (In all cases, the ceiling price so determined must be rounded to the nearest multiple of 2½¢).

2. At the end of paragraph (d) of each order the following undesignated paragraph is added:

In connection with any sale or delivery on or after September 1, 1944 at ceiling prices determined under the last paragraph of (a) above, the ceiling price listed in the notice shall be those ceilings calculated under the provisions of the last paragraph of (a) above.

These amendments shall become effective as of September 1, 1944.

Issued this 16th day of September 1944.

JAMES F. BROWNLEE,  
Acting Administrator.

[F. R. Doc. 44-14362; Filed, Sept. 16, 1944;  
4:43 p. m.]

[MPR 120, Amdt. 1 to Order 699]

## J. H. MULLIGAN COAL CO.

### ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

Order No. 699 under Maximum Price Regulation No. 120 is amended in the following respects:

1. The words "Stray Seam" are deleted and the words "No. 6 Seam" are inserted at the same place.

2. The "Price Group No. 1" classification is deleted and "Price Group No. 2" is inserted in its place.

3. The maximum prices listed for Mine Index No. 2002 for rail shipments and railroad fuel are deleted and the following maximum prices are inserted in their places:

	Size group Nos.					
	1 to 6, incl.	7	8 to 12, incl.	13 and 14	26 to 29, incl.	15 and 16
Rail shipments and railroad fuel.....	\$2.70	2.25	3.10	2.45	2.80	1.40

Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein.



[MPR 120, Order 1008]

## BAGLEY COAL SALES, ET AL.

## ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, it is ordered:

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 8. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved

BAGLEY COAL SALES, 118 N. WALNUT ST., VAN WERT, OHIO, MEADOW CREEK #1 MINE, JELICO SEAM, MINE INDEX NO. 7197, WHITLEY COUNTY, KY., SUBDISTRICT 5, RAIL SHIPPING POINT: ROCKHOLD, KY., F. O. G. III, MAXIMUM TRUCK PRICE GROUP NO. 3

	Size group Nos.															
	1	2	3	4	5	6	7	8	9	10	15-16-17	18	19	20-21		
Price classification.....	O	O	O	O	J	J	J	H	G	G	F	K	K	K		
Rail shipments and railroad fuel.....	300	355	340	340	360	350	350	320	325	300	310	300	295	295		
Truck shipment.....	405	385	350	350	330	300	260	260	255							

HASKELL BURDETTE, ROUTE 5, BOX 360, CHARLESTON, W. VA., BURDETTE MINE, PITTSBURGH NO. 8 SEAM, MINE INDEX NO. 7185, KANAWHA COUNTY, W. VA., SUBDISTRICT 4, MAXIMUM TRUCK PRICE GROUP NO. 4

Truck shipment.....	390	370	340	350	330	305	260	255								
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CHAFIN-JONES-HEATHERMAN COAL CO., PEACH CREEK, W. VA., NO. 2-C MINE, CHILTON SEAM, MINE INDEX NO. 7185, LOGAN COUNTY, W. VA., SUBDISTRICT 5, RAIL SHIPPING POINT: PEACH CREEK, W. VA., F. O. G. 150, DEEF MINE, MAXIMUM TRUCK PRICE GROUP NO. 5

	Size group Nos.															
	1	2	3	4	5	6	7	8	9	10	15-16-17	18	19	20-21	22	
Price classification.....	Q	Q	Q	Q	L	L	K	K	H	K	E	J	J	J	J	N
Rail shipment.....	330	325	320	320	320	320	310	295	295	340	300	295	285	280	240	
Railroad fuel.....	330	325	320	320	320	320	310	295	295	310	300	295	285	280	240	
Truck shipment.....	380	360	335	335	320	295	260	255								

accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, it is ordered:

(a) The Sullivan No. 27 Mine of the Maumee Collieries Company located in Sullivan County, Indiana, in the Linton Sullivan Subdistrict, District No. 11, operating in the No. 7 Seam, is hereby assigned Mine Index No. 2011 and classified in Price Group No. 2 for truck shipment and in Price Group No. 9 for rail shipment.

(b) Coals produced at the Sullivan No. 27 Mine, Mine Index No. 2011 of the Maumee Collieries Company, located in Sullivan County, Indiana in Linton Sullivan Subdistrict, District No. 11 for the uses indicated and by methods of transportation appearing herein may be sold and purchased at per net ton prices in cents not exceeding the following:

	Size groups															
	1, 2 and 3	4, 5 and 6	7 and 8	9, 10, 11 and 12	13, 14, 15 and 16	17, 18, 19, 20, 21 and 22	23, 24, 25 and 26	27, 28, 29 and 30	31, 32 and 33	34						
Rail shipment.....	240	240	200	215	230	180	205	195	175	160	165	110	109	109	200	
Truck shipment.....	320	305	255	245	260	225	250	240	195	180	185	130	109	109	230	

## RAILROAD LOCOMOTIVE FUEL

Mine run, modified mine run, and all lump and all double-screened coal... \$2.40

Screenings, top size not exceeding 2" -- 1.85

(c) The maximum prices established herein are f. o. b. the mine for truck shipment and f. o. b. the rail shipping point for rail shipment and for railroad locomotive fuel use.

(d) All prayers not granted herein are hereby denied.

(e) This order may be revoked or amended at any time.

(f) Unless the context otherwise requires, the definitions set forth in

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-14420; Filed, Sept. 18, 1944; 11:54 a. m.]

[MPR 120, Order 1007]

## MAUMEE COLLIERIES CO.

## ADJUSTMENT OF MAXIMUM PRICES

For the reasons given in the opinion issued simultaneously herewith and in



FRAME & WILKINSON, POCA, W. VA., BETSY NO. 2 MINE, PITTSBURGH NO. 8 SEAM, MINE INDEX NO. 7170, PUTNAM COUNTY, W. VA., SUB-DISTRICT 4, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 5

	Size Group Nos.													
	1	2	3	4	5	6	7	8	9	10	11, 12, 13	14	15	16, 17
Truck shipment.....	380	360	335	335	320	295	260	255	-----	-----	-----	-----	-----	-----

HUDSON COAL CO., HARTFORD, W. VA., WET HEN MINE, PITTSBURGH NO. 8 SEAM, MINE INDEX NO. 7156, MASON COUNTY, W. VA., SUB-DISTRICT 4, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 5

Truck shipment.....	380	360	335	335	320	295	260	255	-----	-----	-----	-----	-----	-----
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L. S. MOLES, RED HOUSE, W. VA., MOLES MINE, PITTSBURGH NO. 8 SEAM, MINE INDEX NO. 7167, PUTNAM COUNTY, W. VA., SUB-DISTRICT 4, RAIL SHIPPING POINT: BANCROFT, W. VA., F. O. G. 127, MAXIMUM TRUCK PRICE GROUP NO. 5

Price classification.....	Q	Q	Q	Q	P	P	O	M	K	M	G	Q	Q	Q
Rail shipment.....	330	325	320	320	305	300	295	295	290	340	295	265	260	255
Railroad fuel.....	330	325	320	320	310	310	310	310	310	340	295	265	260	255
Truck shipment.....	380	360	335	335	320	295	260	255	-----	-----	-----	-----	-----	-----

SMITH BROS. COAL CO., ROUTE 5, BOX 444, CHARLESTON, W. VA., NO. 1 MINE, PITTSBURGH NO. 8 SEAM, MINE INDEX NO. 7184, KANAWHA COUNTY, W. VA., SUB-DISTRICT 4, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 4

Truck shipment.....	390	370	340	350	320	305	260	255	-----	-----	-----	-----	-----	-----
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BERT WILSON, R. F. D. No. 2, ASHLAND, KY., TROY BLEVINS MINE, NO. 5 (CLOD) SEAM, MINE INDEX NO. 7029, BOYD COUNTY, KY., SUB-DISTRICT 1, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 5

Truck shipment.....	380	360	335	335	320	295	260	255	-----	-----	-----	-----	-----	-----
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NOTE: The maximum prices established by this order include all adjustments authorized by Amendment No. 115 to Maximum Price Regulation No. 120 effective August 16, 1944.

This order shall become effective September 19, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 18th day of September 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-14421; Filed, Sept. 18, 1944; 11:56 a. m.]

[MPR 188, Order 2333]

#### WENONAH MASONRY PRODUCTS CO.

##### ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to § 1499.158, it is ordered:

(a) The maximum prices for sales of "Hughes-Masonry-Recoat," a dry powder to be mixed with water and linseed oil before application to provide a paint consistency, made by Wenonah Masonry Products Company of Wenonah, New Jersey, in 5 pound bags, shall be:

Sales to jobbers..... \$0.75 per bag delivered  
Sales to retailers..... 1.00 per bag delivered  
Sales at retail..... 1.35 per bag

(b) No extra charge may be made for containers.

(c) All prices shall be subject to the discounts, allowances and trade practices of the seller in effect during March 1942.

(d) With or prior to the first delivery of "Hughes-Masonry-Recoat" to any jobber, Wenonah Masonry Products Company shall furnish such jobber a written notice as follows:

##### NOTICE

"Hughes-Masonry-Recoat"  
(per 5 pound bag)

- (1) My maximum price is delivered..... \$0.75
- (2) Your maximum price to retailers is..... delivered..... 1.00
- (3) Maximum price for sales at retail is..... 1.35

Instructions. You are required by the Office of Price Administration to send with or prior to your first delivery to a retailer a notice identical in form to items (1) and (2) of this Notice filled in with the applicable maximum prices. The retailer's maximum prices to be indicated in item (2) of your notice are set forth in item (3) of this Notice.

(e) With or prior to the first delivery of "Hughes-Masonry-Recoat" to any retailer, Wenonah Masonry Products Company shall furnish such retailer with a written notice as follows:

##### NOTICE

"Hughes-Masonry-Recoat"  
(per 5 pound bag)

- (1) My maximum price is delivered..... \$1.00
- (2) Maximum price for sales at retail is..... 1.35

(f) Wenonah Masonry Products Company shall mark each 5 pound bag of "Hughes-Masonry-Recoat" to indicate the maximum price for sales at retail as follows.

Retail Ceiling Price \$1.35 per 5 lb.

(g) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective September 19, 1944.

Issued this 18th day of September 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-14422; Filed, Sept. 18, 1944; 11:54 a. m.]

#### Regional and District Office Orders.

##### LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register on September 15, 1944.

##### REGION I

Augusta Order 1-F, Amendment 11, covering fresh fruit and vegetables in Portland, S. Portland and Westbrook, Maine, filed 11:09 a. m.

Providence Order 2-W, covering wholesale and retail community food prices in Rhode Island except New Shoreham, filed 11:09 a. m.

Providence Order 2-F, Amendment 15, covering fresh fruit and vegetables in Rhode Island, except New Shoreham, filed 11:09 a. m.

##### REGION II

Buffalo Order 1-F, Amendment 22, covering fresh fruit and vegetables in designated areas in New York, filed 10:13 a. m.

Buffalo Order 2-F, Amendment 22, covering fresh fruit and vegetables in Rochester, East Rochester, Fairport, and Pittsford, filed 11:09 a. m.

Camden Order 1-F, Amendment 23, covering fresh fruit and vegetables in named counties in the Camden district, filed 10:13 a. m.

Camden Order 2-F, Amendment 20, covering fresh fruit and vegetables in Atlantic and Cape May Counties, N. J., filed 10:13 a. m.

##### REGION III

Columbus Order 3-F, Amendment 39, covering fresh fruit and vegetables in Columbus and Franklin Counties, Ohio, filed 10:16 a. m.

Cleveland Rev. Order F-1, Amendment 4, covering fresh fruit and vegetables in certain areas in the Cleveland district, filed 10:15 a. m.

Cleveland Rev. Order F-3, Amendment 4, covering fresh fruit and vegetables in certain areas in the Cleveland district, filed 10:15 a. m.

Cleveland Order 30, Amendment 2, covering community food prices in Cuyahoga County, filed 10:15 a. m.

##### REGION IV

Columbia Rev. Order 1-F, Amendment 17, covering fresh fruit and vegetables within a 7-mile radius of the State House, filed 10:16 a. m.

##### REGION VI

Des Moines Order 1-F, Amendment 33, covering fresh fruit and vegetables in the Des Moines area, filed 10:04 a. m.

Milwaukee Order 2-F, Amendment 31, covering fresh fruit and vegetables in Dane County, filed 10:06 a. m.

Milwaukee Order 3-F, Amendment 31, covering fresh fruit and vegetables in Milwaukee County, City of Racine and City of Kenosha, filed 10:06 a. m.



Milwaukee Order 5-F, Amendment 30, covering fresh fruit and vegetables in Sheboygan and Fond du Lac Counties, filed 10:06 a. m.

Sioux Falls Order 1-F (Rev.), Amendment 4, covering fresh fruit and vegetables in designated counties in South Dakota, filed 10:07 a. m.

## REGION VII

Wyoming Order 2-W, Amendment 2, covering wholesale food prices in the Casper area, filed 11:00 a. m.

Montana Order 71, Amendment 1, covering community food prices in the Missoula area, filed 10:17 a. m.

Montana Order 74, Amendment 1, covering community food prices in the Havre and Chinook area, filed 10:17 a. m.

New Mexico Order F-1, Amendment 23, covering fresh fruit and vegetables in Albuquerque, filed 10:59 a. m.

New Mexico Order F-2, Amendment 9, covering fresh fruit and vegetables in City of Santa Fe, filed 10:59 a. m.

New Mexico Order F-3, Amendment 9, covering fresh fruit and vegetables in City of Gallup, filed 10:59 a. m.

New Mexico Order F-4, Amendment 9, covering fresh fruit and vegetables in designated areas in New Mexico, filed 10:55 a. m.

New Mexico Order F-5, Amendment 6, covering fresh fruit and vegetables in Las Vegas, filed 10:55 a. m.

New Mexico Order F-6, Amendment 6, covering fresh fruit and vegetables in designated areas in New Mexico, filed 10:17 a. m.

Utah Order 2-B, covering wholesale food prices in various areas in Utah and Arizona, filed 10:00 a. m.

Utah Order 11, covering community food prices in designated area in Utah, filed 11:10 a. m.

Utah Order 12, covering community food prices in designated area in Utah, filed 11:06 a. m.

Utah Order 13, covering community food prices in designated area in Utah, filed 11:12 a. m.

Utah Order 14, covering community food prices in designated area in Utah, filed 11:14 a. m.

Utah Order 15, covering community food prices in the price area, filed 11:10 a. m.

## REGION VIII

Fresno Order 1-F, Amendment 35, covering fresh fruit and vegetables in Fresno, Calif., filed 9:59 a. m.

Fresno Order 2-F, Amendment 23, covering fresh fruit and vegetables in Modesto, Calif., filed 9:59 a. m.

Fresno Order 3-F, Amendment 20, covering fresh fruit and vegetables in designated cities in Calif., filed 9:59 a. m.

Los Angeles order 1-W, Amendment 1, covering dry groceries in the Los Angeles district, filed 9:56 a. m.

Los Angeles Order 1-F, Amendment 31, covering fresh fruit and vegetables in designated areas in the Los Angeles district, filed 9:56 a. m.

Portland Order 1-F, Amendment 33, covering fresh fruit and vegetables in the Portland district, filed 10:05 a. m.

Seattle Order 140, covering community food prices in the Seattle area, filed 10:09 a. m.

Seattle Order 141, covering community food prices in the Tacoma area, filed 10:10 a. m.

Seattle Order 142, covering community food prices in the Everett area, filed 10:10 a. m.

Seattle Order 143, covering community food prices in the Bremerton area, filed 10:10 a. m.

Seattle Order 144, covering community food prices in the Bellingham area, filed 10:10 a. m.

Seattle Order 145, covering community food prices in the Olympia area, filed 10:12 a. m.

Seattle Order 146, covering community food prices in the Aberdeen-Hoquiam area, filed 10:12 a. m.

Seattle Order 147, covering community food prices in the Centralia-Chehalis area, filed 10:12 a. m.

Seattle Order 148, covering community food prices in the Wenatchee area, filed 10:12 a. m.

Seattle Order 149, covering community food prices in the Yakima area, filed 9:55 a. m.

Seattle Order 1-P, Amendment 7, covering fresh fish and seafood in the Seattle, Wash., area, filed 10:05 a. m.

Spokane Order 1-F, Amendment 25, covering fresh fruit and vegetables in Spokane County, Wash., filed 9:55 a. m.

Spokane Order 2-F, Amendment 22, covering fresh fruit and vegetables in Kootenai County, Idaho, filed 9:56 a. m.

San Diego Order 1-F, Amendment 62, covering fresh fruit and vegetables in the San Diego district, filed 9:57 a. m.

San Diego Order 2-F, Amendment 7, covering fresh fruit and vegetables in the San Diego district, filed 9:57 a. m.

San Diego Order 3-F, Amendment 6, covering fresh fruit and vegetables in the San Diego district, filed 9:57 a. m.

Sacramento Order 6-F, Amendment 13, covering fresh fruit and vegetables in the Sacramento District Central County area, filed 11:00 a. m.

Sacramento Order 7-F, Amendment 13, covering fresh fruit and vegetables in the Sacramento District Northern County area, filed 11:06 a. m.

Sacramento Order 15, Amendment 1, covering fruit and vegetables canned and other dry groceries, filed 11:11 (in Sacramento-Stockton area).

Sacramento Order 16, Amendment 1, covering community food prices in designated area in the Sacramento district, filed 11:11 a. m.

Sacramento Order 17, Amendment 1, covering community food prices in the Quincy-Truckee-Yreka area, filed 11:12 a. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,  
Secretary.

[F. R. Doc. 44-14360; Filed, Sept. 15, 1944; 4:43 p. m.]

[Region I Rev. Order G-1 Under MPR 426, Revocation]

## LETTUCE IN BOSTON REGION

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Office, Region I, of the Office of Price Administration by section 2 (b) of Maximum Price Regulation No. 426: *It is hereby ordered:*

(a) Revised Order No. G-1 under section 2 (b) of Maximum Price Regulation No. 426, fresh fruits and vegetables for table use, is hereby revoked subject to the provisions of Supplementary Order 40.

This order shall be effective as of September 9, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 8th day of September 1944.

ELDON C. SHOUP,  
Regional Administrator.

[F. R. Doc. 44-14297; Filed, Sept. 15, 1944; 1:12 p. m.]

[Region II Order G-44 Under RMPR 122, Amdt. 1]

## SOLID FUELS IN MAMARONECK, N. Y.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, Order No. G-44 is amended in the following respect:

1. Paragraph (d) (2) (iii) is amended by revising the maximum prices for yard sales "to dealers for resale" in Mamaroneck Village in the Town of Mamaroneck, as follows:

(iii) *For sales of anthracite of the sizes and in the quantities specified to dealers and to consumers within Coal Area X in Mamaroneck Village in the Town of Mamaroneck.*

Per net ton for  
sales of ½ ton or  
more (to dealers)  
for resale

Size:	
Broken, egg, stove, nut	\$11.65
Pea	10.10
Buckwheat	8.45
Rice	7.45
Barley	6.15
Screenings "A"	4.00
Screenings "B"	3.00

"Required discounts" remain unchanged.

This Amendment No. 1 to Order No. G-44 shall become effective September 8, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 7th day of September 1944.

DANIEL P. WOOLLEY,  
Regional Administrator.

[F. R. Doc. 44-14298; Filed, Sept. 15, 1944; 1:09 p. m.]



[Region IV Order G-24 Under RMPR 122]

## SOLID FUELS IN GAINESVILLE, GA.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator, Region IV, Office of Price Administration, by § 1340.260 of Revised Maximum Price Regulation No. 122, it is hereby ordered:

(a) *What this order does.* (1) This order establishes maximum prices for sales of specified solid fuels when the delivery is made to any point in the area set out in paragraph (c) hereinafter.

(2) Paragraph (2) of this order contains a price schedule applicable to sales of the solid fuels named therein. Special charges and discounts applicable to such sales are likewise found in that paragraph.

(b) *What this order prohibits.* Regardless of any contract, agreement, or other obligation, no person shall:

(1) Sell, or, in the course of trade or business, buy solid fuels at prices higher than the maximum prices set by this order, but less than maximum prices may, at any time, be charged, paid or offered; or

(2) Obtain a higher than maximum price by:

(i) Charging for a service which is not expressly requested by the buyer or which is not specifically authorized by this order;

(ii) Using any tying agreement by making any requirement that anything other than the fuel requested by the buyer be purchased by him; or

(iii) Using any other device by which a higher than maximum price is obtained, directly or indirectly.

(c) *Price schedule; consumer sales.* (1) This price schedule sets forth maximum prices for sales of specified solid fuels when delivery is made within the corporate limits of the City of Gainesville, Georgia. Extra charges are specified for deliveries beyond the corporate limits of said city. (i) "Direct delivery or domestic" basis:

HIGH VOLATILE BITUMINOUS COAL FROM  
DISTRICT NO. 8

Size	Per ton 2,000 lbs.	Per ½ ton 1,000 lbs.	Per ¼ ton 500 lbs.
Block (Size Groups No. 1 and 2—price classification A-J)	\$9.75	\$5.13	\$2.69
Egg (Size Groups No. 5 and 6—price classifications A-K)	9.55	5.03	2.64
Stoker (Size Group No. 10—price classifications A-E)	9.00	4.75	2.50
Yard slack	7.00	3.75	2.00

(2) *Maximum authorized service charges—(a) Sacked coal at the yard.* Dealer may charge not more than 50¢ for 80 lbs. of coal sold in sacks at the yard. This price does not include sack, for which no charge in excess of the applicable maximum price may be made.

(ii) *Treated coals.* If a dealer's supplier has subjected the coal to oil or calcium chloride treatment to allay dust or to prevent freezing and makes a charge therefor, the dealer selling such coal may add to the applicable maximum price set by this order the amount of such charge, not to exceed 10¢ per net ton. Any such treatment charge shall be stated separately from all other charges on the invoice.

(iii) *Delivery zone.* The dealer may make no extra charge for delivery within the corporate limits of Gainesville, Georgia. For deliveries beyond the free delivery zone thus described, the dealer may add not more than 10¢ per ton per mile and may make a minimum charge of 50¢ for such delivery. Such delivery charge, if added, must be stated separately from all other charges on the invoice.

(iv) *Credit.* No additional charge in excess of the prices listed in this schedule may be made for the extension of credit.

(d) *Ex parte 148 Freight rate increase; transportation tax—(1) The freight rate increase.* Since the ex parte 148 freight rate increase has been rescinded by the Interstate Commerce Commission, the dealer's freight rates are the same as those of December 1941; therefore, no dealer may increase any price specified herein on account of freight rates.

(2) *The transportation tax.* Only the transportation tax imposed by Section 620 of the Revenue Act of 1942 may be collected, in addition to the maximum prices set by this order. It may be collected only if the dealer states such tax separately from the price of the coal on the invoice. (The tax need not be stated separately on sales to the United States or any agency thereof—see Amendment 12 to Revised Maximum Price Regulation No. 122.) No part of this tax may be collected in addition to the maximum prices specified on sales of one-quarter ton or lesser amounts of coal, or on sales of any quantity of bagged coal.

(e) *Addition of increases in supplier's prices prohibited.* The maximum prices set by this order may not be increased by a dealer to reflect increases in his purchase cost or in his supplier's maximum prices occurring after the effective date hereof, but increases in the maximum prices set hereby, to reflect such increases are within the discretion of the Administrator or of the Regional Administrator of Region IV.

(f) *Power to amend or revoke.* This order, or any provision thereof, may be revoked, amended, or corrected at any time by the Administrator or by the Regional Administrator of Region IV.

(g) *Petitions for Amendment.* Any person seeking an amendment of this order may file a petition for amendment with the Administrator in accordance with the provisions of Revised Procedural Regulation No. 1, or in the alternative, may file such petition with the

Regional Administrator, Region IV, Office of Price Administration, Candler Building, Atlanta 3, Georgia. If such petition is filed with the Regional Administrator, action thereon shall be taken by him. When such a petition is filed with the Regional Administrator, all requirements of Revised Procedural Regulation No. 1, relative to the filing of such petitions, are applicable except the place of filing specified therein.

(h) *Applicability of other regulations—(1) Licensing and registration.* Every dealer subject to this order is subject to the licensing and registration provisions of sections 15 and 16 of the General Maximum Price Regulation. These sections provide, in brief, that a license is required of all persons selling, at retail, commodities for which maximum prices are established. A license is automatically granted. It is not necessary to apply for a license, but a dealer may later be required to register. A license may be suspended for violations in connection with the sale of any commodity for which maximum prices are established. If a dealer's license is suspended, he may not sell any such commodity during the period of suspension.

(2) *Effect of this order on Revised Maximum Price Regulation No. 122.* To the extent applicable, the provisions of this order supersede the provisions of Revised Maximum Price Regulation No. 122.

(i) *Records and reports.* Every person making sales of solid fuels for which maximum prices are established by this order shall keep a record thereof showing the date, the name and address of the buyer, if known, the per net ton price charged, and the solid fuel sold. The solid fuel shall be identified in the manner in which it is described in this order. This record shall also separately state each service rendered and the charge made therefor.

(a) It is not necessary that these records or your maximum prices be filed with the War Price and Rationing Board.

(j) *Posting of maximum prices; sales slips and receipts.* (1) Each dealer subject to this order shall post all the maximum prices set hereby for all of his types of sales. He shall post his prices in his place of business in a manner plainly visible to, and understandable by, the purchasing public. He shall also keep a copy of this order available for examination by any person inquiring as to his prices for solid fuels.

(2) Every dealer selling solid fuels for the sale of which a maximum price is set by this order shall, within 30 days after the date of delivery of the fuel, give to the buyer a statement showing: the date of the sale, the name and address of the dealer and of the buyer, the kind, size, and quantity of the solid fuel sold, the price charged, and separately stating any item which is required to be separately stated by this order. This paragraph (j) (2) shall not apply to sales of quantities of less than one-



quarter ton or to sales of bagged coal unless the dealer customarily gave such a statement on such sales.

(3) In the case of all other sales, every dealer who during December, 1941 customarily gave buyers sales slips or receipts shall continue to do so. If a buyer requests of a seller a receipt showing the name and address of the dealer, the kind, size, and quantity of the solid fuel sold to him, or the price charged, the dealer shall comply with the buyer's request as made by him.

(k) **Enforcement.** (1) Persons violating any provisions of this order are subject to the civil and criminal penalties, including suits for treble damages, provided for by the Emergency Price Control Act of 1942, as amended.

(2) Persons who have any evidence of any violations of this order are urged to communicate with the nearest District Office of the Office of Price Administration.

(l) **Definitions and explanations.** When used in this order the term:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons or legal successor or representative of any of the foregoing, and includes the United States, any other government, or any agency or subdivision of any of the foregoing.

(2) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer, and deliver, and contracts and offers to do any of the foregoing. The terms "sale", "selling", "sold", "seller", "buy", "purchase", and "purchaser" shall be construed accordingly.

(3) "Dealer" means any person selling solid fuels except producers or distributors making sales at or from a mine, a preparation plant operated as an adjunct of any mine, a coke oven, or a briquette plant.

(4) "Direct delivery" means dumping or chuting the fuel from the seller's truck directly into the buyer's bin or storage space; but, if this is physically impossible, the term means discharging the fuel directly from the seller's truck at a point where this can be done and at the point nearest and most accessible to the buyer's bin or storage space.

(i) "Direct delivery" of bagged fuel or of any fuel in one-quarter ton or lesser lots always means delivery to the buyer's storage space.

(5) "Carry" and "wheel" refer to movement of fuel to the buyer's bin or storage space by wheel barrow, barrel, sack, or otherwise from the seller's truck or from the point of discharge therefrom when made in the course of "direct delivery".

(6) "Yard sales" means deliveries made by the dealer in his customary manner, at his yard, or at any place other than his truck.

(7) "District No." refers to the geographical bituminous coal producing districts as delineated and numbered by the Bituminous Coal Act of 1937, as amended, as they have been modified by the Bituminous Coal Division and as in effect at midnight, August 23, 1943.

(8) "Lump, egg, stove, stoker, etc." sizes of bituminous coal refer to the size of such coal as defined in the Bituminous Coal Act of 1937, as amended, and as prepared at the mine in accordance with the applicable minimum price schedule as promulgated by the Bituminous Coal Division of the United States Department of the Interior and in effect (or established) as of midnight August 23, 1943, except that "run-of-mine" shall be that size sold as such by the dealer.

(9) Except as otherwise provided herein, or except as the context may otherwise require, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122 shall apply to the terms used herein.

**NOTE:** The record keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This order shall become effective September 11, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued September 5, 1944.

ALEXANDER HARRIS,  
Regional Administrator.

[F. R. Doc. 44-14299; Filed, Sept. 15, 1944; 1:10 p. m.]

[Region V Order G-5 Under MPR 336, MPR 355, and MPR 394]

#### FABRICATED MEAT CUTS IN SEDGWICK COUNTY, KANS.

Pursuant to section 5 (c) of Maximum Price Regulation No. 336, Maximum Price Regulation No. 355 and Maximum Price Regulation No. 394, as incorporated by Amendment 15 to Maximum Price Regulation No. 336, and Amendment 17 to Maximum Price Regulation No. 355, and Amendment 6 to Maximum Price Regulation No. 394, the Regional Administrator of Region V, on his own motion, finds that the area contained within the corporate limits of the county of Sedgwick in the State of Kansas, to be an area deficient in supplies of fabricated meat cuts for purveyors of meals, because the following conditions exist:

(1) Purveyors of meals within said area were unable to obtain fabricated meat cuts covered by the above named regulations in sufficient volume to supply their requirements as determined under Ration Order No. 16, during the two month period immediately preceding May 1, 1944;

(2) The dealers in the area selling fabricated meat cuts do not have adequate facilities or quotas to supply the requirements of purveyors of meals located in the area as determined under (1) above; and

(3) Purveyors of meals in the area customarily have relied upon, and find it necessary to continue to rely upon, local retail dealers for suppliers of meat sufficient to fill their requirements.

Accordingly, the area within the corporate limits of the county of Sedgwick in the State of Kansas, is hereby ordered

and declared to be an area deficient in the supply of fabricated meat cuts covered by the above named price regulations for purveyors of meals within the intent and purposes of said section 5 (c) of each of the aforesaid maximum price regulations.

This order or declaration is subject to revocation, or amendment, at any time hereafter, either by special order or declaration, or by any price regulation issued hereafter, or by any amendment or supplement issued to any price regulation, the provisions of which may be contrary hereto.

This order shall become effective September 7, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250; 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued at Dallas, Texas, this the 7th day of September 1944.

MAX McCULLOUGH,  
Regional Administrator.

[F. R. Doc. 44-14301; Filed, Sept. 15, 1944; 1:09 p. m.]

[Region VI Order G-16 Under RMPR 122, Appendix 6]

#### SOLID FUELS IN CEDAR RAPIDS, IOWA, AREA

(a) **Applicability.** This Appendix No. 6 applies to sales of solid fuels delivered in the Cedar Rapids area. The term "sales of solid fuels delivered in the Cedar Rapids area" refers to sales of solid fuels delivered within the city limits of Cedar Rapids, Iowa, and to sales of solid fuels delivered by dealers whose establishments are located within the city limits of Cedar Rapids, Iowa.

(b) **Price schedule.** Immediately below and as a part of this section (b) is a price schedule that sets maximum prices for domestic delivered sales of dealers of specified kinds and sizes of solid fuels in lots of one ton or more. Service charges and charges for treatment of coal are set forth in sections (c) and (d). Discounts for payment on delivery or within fifteen days for domestic at yard sales and dealer at yard sales are set forth in sub-section (e).

#### SCHEDULE OF COAL DELIVERED BY DEALERS

	Domestic delivered price per ton
I. Low volatile bituminous coal from District No. 3 (West Virginia):	
1. Lump and egg, size group Nos. 1 and 2, price classification A.....	\$12.35
II. Low volatile bituminous coals from District No. 7 (West Virginia and Virginia):	
1. Lump and egg, size group Nos. 1 and 2, price classification A.....	12.80
2. Stove, size group No. 3, price classification A.....	12.30
III. High volatile coals from District No. 8 (East Kentucky and West Virginia):	
1. Lump and egg, size group Nos. 1, 2 and 3, price classification A.....	12.30
2. Lump, size group No. 2, price classifications C through H.....	12.00
3. Lump, size group No. 2, price classifications K through N.....	11.85



## SCHEDULE OF COAL DELIVERED BY DEALERS—Con.

Domestic delivered  
price per ton

III. High volatile coals from District No. 8 (East Kentucky and West Virginia)—Continued.	
4. Egg, size group No. 4, price classifications K through O, and size group No. 6, price classifications E through K.	\$11.55
5. Stoker, size group No. 10, price classification A.	11.15
IV. High volatile coals from District No. 9 (Western Kentucky):	
1. No. 6 seam, stoker, size groups 8 to 12, inclusive.	9.40
2. No. 14 seam, lump and egg, size groups 1 through 6.	9.40
3. No. 14 seam, stoker, size groups 17 through 22.	8.50
V. High volatile coal from District No. 10 (Illinois):	
A. Southern sub-district:	
1. Lump and egg, size groups 1, 2 and 3, price groups 1, 2 and 8.	9.40
2. Egg and nut, size groups 4, 5, 6 and 8, price groups 1, 2 and 8.	9.10
3. Prepared stoker, size groups 22 and 28, price groups 1, 2 and 8.	8.65
B. Central sub-district:	
1. Lump and egg, size groups 1, 2 and 3, price groups 12, 13 and 23.	7.45
2. Egg and nut, size groups 4, 5, 6 and 8, price groups 12, 13 and 23.	7.40
C. Fulton-Peoria sub-district:	
1. Lump and egg, size groups 1, 2 and 3, price groups 24, 25 and 26.	7.80
2. Egg and nut, size groups 4, 5, 6 and 8, price groups 24 to 28, inclusive.	6.85
D. Northern sub-district:	
1. Lump and egg, size groups 1, 2 and 3, price group 34.	7.80
2. Egg and nut, size groups 4, 5, 6 and 8, price group 34.	7.20
VI. High volatile coal from District No. 11 (Indiana):	
1. Lump and egg, size groups 1, 2 and 3, price groups 15 and 16.	9.65
2. Lump and egg, size groups 1, 2 and 3, price groups 6 and 14.	10.05
3. Egg and stove, size groups 4, 5, 6 and 8, price groups 6 and 14.	9.05
4. Stoker, size groups 9 through 12, price groups 6 and 14.	8.80
VII. By-product coke: 1. Egg, stove and nut.	16.05
VIII. Briquettes, Berwind.	13.45

(c) *Service charges.* Immediately below and as a part of this section (c) is a schedule of charges that sets forth prices which a dealer may make for the special services described when rendered in connection with sales of solid fuels covered by this appendix. These charges may be made only if the buyer requests the service and the dealer renders it pursuant to the request. The charges must be separately stated in the dealer's invoice.

## SCHEDULE OF SERVICE CHARGES

	Per ton
Trimming	\$0.20
Carrying from curb	.50
Carrying up or down stairs	1.00

(d) *Charge for treatment of coal.* Whenever any dealer has been charged by his supplier for the chemical or oil treatment of coal at the mine he may add to the applicable maximum price set by this Appendix No. 6 a treatment charge not in excess of 10¢ per ton. When a treatment charge is made pursuant to this section, the dealer's invoice shall

clearly indicate that the fuel that is the subject of the sale has been dust treated and that a charge is being made therefor.

(e) *Discounts.* The maximum prices provided for in the schedule in section (b) shall be subject to the following discounts:

	Per ton
1. If payment is made on delivery or within 15 days from the date of delivery	\$0.25
2. If physical delivery of the coal sold to a consumer is made at the yard of the dealer	.75
3. If physical delivery of the coal sold to a purchaser for resale is made at the yard of the dealer	1.50

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

This Appendix No. 6 to Order No. G-16 shall be effective September 8, 1944.

Issued this 1st day of September 1944.

RAE E. WALTERS,  
Regional Administrator.

[F. R. Doc. 44-14302; Filed, Sept. 15, 1944; 1:09 p.m.]

[Region V Order G-7 Under RMPR 122, Amdt. 1]

## SOLID FUELS IN SPRINGFIELD, MO.

Pursuant to the Emergency Price Control Act of 1942, as amended, and the authority vested in the Regional Administrator of Region V by § 1340.260 of Revised Maximum Price Regulation No. 122, and for the reasons set forth in the opinion issued simultaneously herewith, *It is ordered:*

Order No. G-7 shall be amended by inserting, immediately following paragraph (g), a new paragraph (h) which shall read as follows:

(h) *Petitions for amendment.* (1) Any person seeking an amendment to this order may file a petition for amendment in accordance with Revised Procedural Regulation No. 1, except that the petition shall be filed with the Regional Administrator and acted upon by him.

Section III (A) of paragraph (c) (1) of Order No. G-7 shall be amended by correcting "Dada County" to read "Dade County."

This order shall become effective this 8th day of September, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued at Dallas, Texas, this the 8th day of September 1944.

MAX McCULLOUGH,  
Regional Administrator.

[F. R. Doc. 44-14300; Filed, Sept. 15, 1944; 1:12 p.m.]

[Region VII Order G-2 Under 3 (c)]

## KOCH AUTO PARTS CO., ET AL.

## ADJUSTMENT OF MAXIMUM PRICES

Pursuant to the Emergency Price Control Act of 1942, as amended, and § 1499.3

(e) (1) and (2) of the General Maximum Price Regulation, and for the reasons set forth in the accompanying opinion, this order is issued.

All provisions of this order and their effect upon business practices, cost practices or methods, or means or aids to distribution in the industry or industries affected have been carefully considered. No provisions which might have the effect of requiring a change in such practices, means, aids or methods established in the industry or industries affected, have been included in the order unless such provisions have been found necessary to achieve effective price control and to prevent circumvention or evasion of the order or of the act. To the extent that the provisions of this order compel or may operate to compel changes in business practices, cost practices or methods, or means or aids to distribution established in the industry or industries affected, such provisions are necessary to prevent circumvention or evasion of this order or of the Emergency Price Control Act of 1942, as amended.

(a) *Geographical applicability.* This order shall apply only to sales made in Region VII of the Office of Price Administration, which is comprised of the States of New Mexico, Colorado, Wyoming, Montana, Utah, and all that part of the State of Idaho lying south of the northern boundary of Idaho County, and the County of Malheur of the State of Oregon, and all that part of the Counties of Mohave and Coconino in the State of Arizona lying north of the Colorado River.

(b) *Prohibition.* On and after the effective date of this order, neither the Koch Auto Parts Company of Lakewood, Colorado, nor any other person shall sell or offer for sale to any ultimate consumer any rebuilt and reconditioned used motorcycle, as defined in paragraph (e) hereof, at a price higher than \$481.32, f. o. b. seller's place of business, when sold with the accompanying Warranty executed by the Koch Auto Parts Company:

## WARRANTY

The motorcycle described below is hereby warranted to be in good operating condition, and to remain in such condition under normal use and service for a period of 30 days after delivery, or 1,000 miles, whichever may occur first.

We agree, if said car is delivered during the above period to our place of business, to make with reasonable promptness any repairs or replacements, which may be necessary to its good operating condition in accordance with normal use and service, at a cost to the purchaser named below of not more than 50% of the normal charge for such repairs and replacements. Our normal charge is not in excess of OPA ceilings.

This warranty does not extend to tires, tubes, paint, glass, upholstery, or to any repairs or replacements made necessary by misuse, negligence or accident.



## Harley-Davidson Motorcycle

Serial Number..... Date of delivery.....  
 Motor Number.....  
 Total Selling price \$.....  
 Speedometer reading.....

-----  
 Name of Purchaser  
 -----  
 Address  
 -----  
 Name of Dealer Making Sale  
 -----  
 Name of proper representative thereof  
 and title  
 -----  
 Address

The maximum retail price of \$481.32 shall be the maximum retail price for any and all ultimate consumers. The Koch Auto Parts Company may upon wholesale sales or sales to other retailers allow a discount of 10% or more from the established maximum retail price.

(c) *Tagging provision.* No person shall sell or offer to sell to any ultimate consumer a rebuilt and reconditioned used motorcycle as herein described unless the appropriate tag described below is attached. This tag shall not be removed except by the ultimate consumer. The first person offering a rebuilt and reconditioned used motorcycle, as herein defined, for sale shall fasten securely to such motorcycle a durable label or tag stating, "OPA Ceiling Price, Rebuilt and Guaranteed, \$481.32".

(d) *Taxes.* Any sales tax or other excise tax incident to the sale of rebuilt and reconditioned used motorcycles imposed or required by statute or ordinance which does not prohibit the seller from stating and collecting such tax separately from the selling price may be collected by the seller in addition to the maximum price established by this order if he states such tax separately on his invoice, sales slip, or other written memorandum of the transaction.

(e) *Definition.* (1) "Rebuilt and reconditioned Used Harley-Davidson Motorcycle", as used in this order, means any Harley-Davidson Experimental Model X-A manufactured exclusively for the Army, the date of manufacture being prior to August 12, 1943, by the Harley-Davidson Motorcycle Company, Milwaukee, Wisconsin.

(2) "Ultimate consumer" means any person who purchases for his own ultimate consumption and use, other than a commercial, industrial, or institutional user. All other purchasers are persons other than ultimate consumers, user purchasers, or consumer purchasers.

(f) *Evasion.* It shall be a violation of this order to charge a price above the applicable maximum price in connection with any sale of a rebuilt and reconditioned used Harley-Davidson Motorcycle, either alone or in conjunction with any other consideration even though the price increase appears only indirectly. Specifically, the seller is not permitted

to require the purchaser, as a condition of the sale or transfer of such motorcycle, to make payment over a period of time; to require him to finance the purchase through any particular lending agency; to require him to purchase any equipment, accessories, repairs, parts or services so as to increase the total compensation above the maximum price; to require him to purchase any other commodity or service; or to require him to make payment in whole or in part by exchanging or transferring or trading in any other vehicle or other product or commodity, or where there is an exchange, transfer or trade-in, to require him to accept an allowance for the vehicle, product or commodity exchanged, transferred or traded in which is below its reasonable value. Furthermore, the seller is prohibited from providing for purchase of the rebuilt and reconditioned used motorcycle by a lessee under a rental contract at an agreed valuation which together with the amount paid for the rental is higher than the applicable maximum price at the time the rental contract is entered into, and from making the terms and conditions of sale more onerous to purchasers than they have customarily been except to the extent allowed by this order. However, the Office of Price Administration may upon written request grant written permission to any dealer subject to this order to change his credit terms, where such change is necessitated by orders issued by, or at the request of, the United States.

(g) *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or schedule. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

(h) *Enforcement.* Any person violating a provision of this order will be subject to the criminal penalties, civil enforcement actions, suits for triple damages, and proceedings for suspension of license provided by the Emergency Price Control Act of 1942, as amended.

(i) *Right to revoke or amend.* This order may be revoked, modified, or amended at any time by the Price Administrator or the Regional Administrator.

(j) *Effective date.* This Order No. G-2 shall become effective on the 5th day of September 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E. O. 9250, 7 F. R. 7871, and E. O. 9328, 8 F. R. 4681)

Issued this 5th day of September 1944.

J. W. PENFOLD,  
 Acting Regional Administrator.

[F. R. Doc. 44-14303; Filed, Sept. 15, 1944;  
 1:11 p. m.]

[Región VII Order G-11 Under MPR 329,  
 Amdt. 3]

## FLUID MILK IN WYOMING

Pursuant to the Emergency Price Control Act of 1942, as amended, and § 1351-408 (b) of Maximum Price Regulation No. 329, as amended, and for the reasons set forth in the accompanying opinion, this Amendment No. 3 is issued.

1. Paragraph (c), as heretofore amended by Amendments No. 1 and No. 2, is hereby further amended by adding to the list of names and addresses set forth in the proviso thereof the following three names, to be designated (48), (49), and (50), respectively, as follows:

(48) E. O. Yates..... Carr, Colorado.  
 (49) Ed Van Why..... Carr, Colorado.  
 (50) Leo Tole..... Carr, Colorado.

2. This Amendment No. 3 shall become effective on the 8th day of September, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E. O. 9250, 7 F. R. 7871, and E. O. 9328, 8 F. R. 4681)

Issued this 8th day of September 1944.

J. W. PENFOLD,  
 Acting Regional Administrator.

[F. R. Doc. 44-14304; Filed, Sept. 15, 1944;  
 1:12 p. m.]

[San Diego Order 1 Under Restaurant MPR 2]

POSTING REQUIREMENTS IN SAN DIEGO,  
CALIF., DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the San Diego District Office of the Office of Price Administration by section 16 of Restaurant Maximum Price Regulation No. 2, it is hereby ordered:

SECTION 1. *Posting requirements.* If you own or operate an eating or drinking establishment, you must, on or before August 16, 1944, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for 40 food items, and meals, as set forth in this order.

(a) First list on the poster as many of the food items and meals listed in Appendix A of this order, as you offer for sale and your ceiling prices for each. If you find in Appendix A several tables of food items and meals, choose the table most applicable to your establishment.

(b) If you do not offer all the 40 items listed in the applicable table in Appendix A, list first those which you do offer, placing them on the poster in the order in which they appear in Appendix A. Then add as many other items which you usually offer to bring the total number to 40, with your ceiling price for each item.

(c) If you do not offer as many as 40 items, place on the poster all the items which you do offer and your ceiling price for each.

(d) List a la carte items first. In listing meals, list the entree and then indicate the type of meal, for example; steak



dinner, leg of lamb dinner, filet of sole lunch, vegetable plate luncheon.

(e) The list of individual items may be printed or hand lettered in ink on the poster in letters large enough so that it can be easily read by your customers.

(f) You must place the poster near the main entrance of your establishment, or in a conspicuous place so that it will be plainly visible to your customers.

**SEC. 2. Filing of lists of posted prices.** When you have made up the list of food items and meals to be posted and your lawful ceiling price for each, you must make three copies of this list, and send or deliver it to your local War Price and Rationing Board on or before August 21, 1944. Each copy must be clear and legible, dated and signed by the owner or manager of your establishment, with the name and address of the establishment following the signature.

The War Price and Rationing Board shall check this list with your filed ceiling prices. If the prices check, the board shall make a notation to this effect on one copy of the list and return it to you. You shall keep this copy in your establishment, and make it available for examination by any person during business hours.

If the prices on your list do not completely check with your filed ceiling prices, the board will call you in for a conference, so that corrections can be made.

**SEC. 3. Replacement of posters.** If a poster is mutilated or becomes badly soiled or otherwise damaged, it must be replaced by a new one which may be obtained from your War Price and Rationing Board upon presentation of the damaged poster. Erasures or changes of prices listed on the poster are prohibited. The new poster must be filled out exactly like the old one. Large establishments may receive extra posters.

**SEC. 4. Geographical applicability.** The provisions of this order extend to all eating and drinking establishments located within San Diego County in San Diego District of the Office of Price Administration.

**SEC. 5. Exemptions.** All establishments which are exempted from the provisions of Restaurant Maximum Price Regulation No. 2 are exempted from this order.

This order shall become effective August 9, 1944.

**NOTE:** The reporting and record-keeping provisions of this Order No. 1 have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 883, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 31st day of July 1944.

STEWART O. WICKLIN,  
District Director.

#### APPENDIX A

If you operate an eating or drinking establishment, you must post and submit lists as required by Sections 1 and 2 of this posting

order to your local War Price and Rationing Board. Following is the list of 40 basic items for San Diego County.

#### A la carte items:

Tomato juice.  
Orange juice.  
Bacon or ham and eggs.  
Two eggs, any style.  
Waffles or hot cakes and syrup.  
Chili.  
Spaghetti.  
Meat stew.  
Boiled meats—Corned beef, New England dinner, etc.  
Fish.  
Liver and bacon or onions.  
Roast beef.  
Chicken, fried or roasted.  
Lamb chops (2).  
Steak.  
Veal cutlet.  
Roast lamb.  
Fried rabbit.  
Hamburger steak.  
Vegetable plate.  
Ham sandwich.  
Ham and egg (or bacon and egg) sandwich.  
American cheese sandwich.  
Peanut butter and jelly sandwich.  
Hamburger sandwich.  
Cheesburger sandwich.  
Hot meat sandwich.  
Combination salad.  
Shrimp salad.  
Coffee (pot).  
Milk (half pint).  
Pie.  
Soup.

#### Breakfasts:

Club breakfast No. 1—Fruit or fruit juice, toast and coffee.  
Club breakfast No. 2—Fruit or fruit juice, two eggs or 1 egg with ham or bacon, toast and coffee.

#### Dinners:

Steak dinner.  
Pork chop or lamb chop dinner.  
Chicken or turkey dinner.  
Fish dinner.  
Roast pork or baked ham dinner.

Specify items served with each dinner.

[F. R. Doc. 44-14305; Filed, Sept. 15, 1944; 1:11 p. m.]

[San Diego Order 2 Under Restaurant MPR 2]

#### POSTING REQUIREMENTS IN SAN DIEGO, CALIF., DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the San Diego District Office of the Office of Price Administration by section 16 of Restaurant Maximum Price Regulation No. 2, it is hereby ordered:

**SECTION 1. Posting requirements.** If you own or operate an eating or drinking establishment, you must, on or before August 16, 1944, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for 40 food items, and meals, as set forth in this order.

(a) First list on the poster as many of the food items and meals listed in Appendix A of this order, as you offer for sale and your ceiling prices for each. If you find in Appendix A several tables of food items and meals, choose the table most applicable to your establishment.

(b) If you do not offer all the 40 items listed in the applicable table in Appendix

A, list first those which you do offer, placing them on the poster in the order in which they appear in Appendix A. Then add as many other items which you usually offer to bring the total number to 40, with your ceiling price for each item.

(c) If you do not offer as many as 40 items, place on the poster all the items which you do offer and your ceiling price for each.

(d) List a la carte items first. In listing meals, list the entree and then indicate the type of meal, for example: steak dinner, leg of lamb dinner, filet of sole lunch, vegetable plate luncheon.

(e) The list of individual items may be printed or hand lettered in ink on the poster in letters large enough so that it can be easily read by your customers.

(f) You must place the poster near the main entrance of your establishment, or in a conspicuous place so that it will be plainly visible to your customers.

**SEC. 2. Filing of lists of posted prices.** When you have made up the list of food items and meals to be posted and your lawful ceiling price for each, you must make three copies of this list, and send or deliver it to your local War Price and Rationing Board on or before August 21, 1944. Each copy must be clear and legible, dated and signed by the owner or manager of your establishment, with the name and address of the establishment following the signature.

The War Price and Rationing Board shall check this list with your filed ceiling prices. If the prices check, the board shall make a notation to this effect on one copy of the list and return it to you. You shall keep this copy in your establishment, and make it available for examination by any person during business hours.

If the prices on your list do not completely check with your filed ceiling prices, the board will call you in for a conference, so that corrections can be made.

**SEC. 3. Replacement of posters.** If a poster is mutilated or becomes badly soiled or otherwise damaged, it must be replaced by a new one which may be obtained from your War Price and Rationing Board upon presentation of the damaged poster. Erasures or changes of prices listed on the poster are prohibited. The new poster must be filled out exactly like the old one. Large establishments may receive extra posters.

**SEC. 4. Geographical applicability.** The provisions of this order extend to all eating and drinking establishments located within Imperial County in San Diego District of the Office of Price Administration.

**SEC. 5. Exemptions.** All establishments which are exempted from the provisions of Restaurant Maximum Price Regulation No. 2 are exempted from this order.

This order shall become effective August 9, 1944.

**NOTE:** The reporting and record-keeping provisions of this Order No. 2 have been approved by the Bureau of the Budget, in ac-



cordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 31st day of July 1944.

STEWART O. WICKLIN,  
District Director.

#### APPENDIX A

If you operate an eating or drinking establishment, you must post and submit lists as required by sections 1 and 2 of this posting order to your local War Price and Rationing Board. Following is the list of 40 basic items for Imperial County.

#### A la carte items:

Tomato juice.  
Orange juice.  
Bacon or ham and eggs.  
Two eggs, fried, boiled or scrambled.  
Hot cakes and syrup.  
Chili.  
Spaghetti.  
Meat stew.  
Boiled meats—corned beef, New England dinner, etc.  
Fish.  
Liver and bacon or onions.  
Roast beef.  
Chicken, fried.  
Lamb chops (2).  
Pork chops.  
Tenderloin steak.  
Roast pork.  
Hamburger steak.  
Cold meat plate.  
Vegetable plate.  
Ham sandwich.  
Ham and egg (or bacon and egg) sandwich.  
American cheese sandwich.  
Hamburger sandwich.  
Hot meat sandwich.  
Combination salad.  
Fruit salad.  
Chicken salad.  
Lettuce and tomato salad.  
Coffee (pot).  
Milk (half pint).  
Pie.  
Soup.  
Breakfasts:  
Club breakfast No. 1—Fruit or fruit juice, toast and coffee.  
Club breakfast No. 2—Fruit or fruit juice or cereal, two eggs or 1 egg with ham or bacon, toast and coffee.  
Dinners:  
Steak dinner.  
Pork chop or lamb chop dinner.  
Turkey dinner.  
Fish dinner.  
Roast pork or baked ham dinner.  
Specify items served with each dinner.

[F. R. Doc. 44-14306; Filed, Sept. 15, 1944; 1:11 p. m.]

[Region VIII, Order G-102 Under 18 (c)]

LARSON LADDER CO.

#### ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.18 (c), as amended, of the General Maximum Price Regulation, *It is hereby ordered:*

(a) The maximum price at which any person may sell or deliver and at which any person in the course of trade or

business may buy or receive any of the articles specified in the attached Appendix A, which is hereby incorporated into and made a part of this order, when manufactured by the Larson Ladder Company, 28 Moorpark Avenue, San Jose, California, shall be the price therein stated.

(b) Discounts, allowances, and other price differentials, customarily allowed by each seller during March 1942, shall continue to be allowed.

(c) This order shall apply to the States of California, Washington, Nevada, Oregon, except Malheur County, and Arizona, except those portions of Coconino County and Mohave County lying north of the Colorado River; and to the following counties in the State of Idaho: Benewah, Bonner, Boundary, Clearwater, Kootenai, Latah, Lewis, Nez Perce, Shoshone, and Idaho.

(d) This order may be amended or revoked at any time.

(e) This order shall become effective September 6, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 5th day of September 1944.

CHAS. R. BAIRD,  
Regional Administrator.

#### APPENDIX A

ARTICLES MANUFACTURED BY LARSON LADDER CO.,  
28 MOORPARK AVENUE, SAN JOSE, CALIF.

	Maximum price per foot
<b>Stepladders (for industrial use):</b>	
No. 332:	
4 to 12 feet	\$0.90
14 to 16 feet	1.00
18 to 20 feet	1.10
No. 1330:	
4 to 12 feet	1.56
14 to 16 feet	1.66
18 to 20 feet	1.76
<b>Ladders (combination, mechanical, etc., for industrial use):</b>	
No. 1882:	
16 to 40 feet	.68
44 to 48 feet	.73
No. 1990:	
16 to 40 feet	.79
44 to 48 feet	.84
No. 2020:	
16 to 40 feet	.94
44 to 48 feet	.99
Same with 3 sections—add \$0.12 per foot.	
No. 1660: 12 to 32 feet	.82
No. 1662: 12 to 32 feet	.82
No. 2220: 6 to 10 feet	.70
4, 5, and 6 feet (middle)	.70
4, 5, and 6 feet (bottom)	.70
<b>Trestles:</b>	
No. 1440: 6 to 20 feet	1.38
No. 1550:	Pair
6 feet extended—10 feet	25.00
8 feet extended—13 feet	33.00
10 feet extended—17 feet	40.75
12 feet extended—21 feet	50.00
14 feet extended—25 feet	60.00
16 feet extended—28 feet	66.00
<b>Scaffolds:</b>	
No. 1442:	Each
12 feet (6 feet closed—10½ feet extended)	7.16
14 feet (7 feet closed—12½ feet extended)	8.35
16 feet (8 feet closed—14 feet extended)	9.54
20 feet (10 feet closed—17½ feet extended)	11.92

#### APPENDIX A—Continued

ARTICLES MANUFACTURED BY LARSON LADDER CO.,  
28 MOORPARK AVENUE, SAN JOSE, CALIF.—Con.

#### Stages:

No. 2336:	Feet
12 x 12 inches to 20 feet without guardrail	\$1.16
14 x 12 inches to 20 feet without guardrail	1.30
16 x 12 inches to 20 feet without guardrail	1.43½
20 x 24 inches to 12 feet to 20 feet without guardrail	1.43½

#### Orchard ladders:

No. 2660:	
6-12 feet	.81
14-20 feet	.87
No. 2663:	
6-12 feet	.81
14-20 feet	.87
No. 1992: 20-40 feet	.82
No. 2880: 10-20 feet	.67

[F. R. Doc. 44-14307; Filed, Sept. 15, 1944; 1:09 p. m.]

[Region I Order G-8 Under MPR 426]

#### DECIDUOUS TREE FRUITS IN BOSTON REGION

For reasons set forth in an opinion accompanying this order and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by Article III, section 15, Appendix J (L) (1) and Appendix K (r) (1) *It is hereby ordered:*

(a) The provisions of Article III, section 15, Appendix J (g) (4) (ii) of Maximum Price Regulation No. 426 as applied in Region I are modified to read as follows:

For sales by secondary jobbers of deciduous tree fruits not on a "delivered" basis, the maximum price in each case is the maximum price for sales on a "delivered" basis within the seller's customary free delivery zone.

(b) The provisions of Article III, section 15, Appendix J (g) (5) (iii) of Maximum Price Regulation No. 426 as applied in Region I are modified to read as follows:

For sales by service wholesalers of deciduous tree fruits not on a "delivered" basis, the maximum price in each case is the maximum price for sales on a "delivered" basis within the seller's customary free delivery zone.

(c) The provisions of Article III, section 15, Appendix K (m) (4) (ii) of Maximum Price Regulation No. 426 as applied in Region I are modified to read as follows:

For sales by secondary jobbers of fruit not on a "delivered" basis, the maximum price in each case is the maximum price for sales on a "delivered" basis within the seller's customary free delivery zone.

(d) The provisions of Article III, section 15, Appendix K (m) (5) (iii) of Maximum Price Regulation No. 426 as applied in Region I are modified to read as follows:

For sales by service wholesalers of fruit not on a "delivered" basis, the maximum price in each case is the maximum price for sales on a "delivered" basis within the seller's customary free delivery zone.

(e) This order may be revoked, amended or corrected at any time.



This order shall become effective on August 28, 1944.

(56 Stat. 23, 765, 57 Stat. 566, Pub. Law 383, 78th Cong., E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681, R.G.O. 51, 8 F.R. 408)

Issued this 28th day of August 1944.

ELDON C. SHOUP,  
Regional Administrator.

Approved:

DALLAS E. GALBRAITH,  
Acting Regional Director  
of Food Distribution.

[F. R. Doc. 44-14351; Filed, Sept. 16, 1944;  
11:53 a. m.]

[South Carolina Order G-1 Under MPR 426,  
Revocation]

#### FRESH FRUITS AND VEGETABLES IN SOUTH CAROLINA DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to the authority vested in the District Director of the South Carolina District Office, Region IV by the Emergency Price Control Act of 1942, as amended, Executive Orders 9250 and 9328, Maximum Price Regulation No. 426, as amended, and Regional Delegation Order No. 33 issued by said Region IV, it is hereby ordered, That:

(a) Order G-1, issued by the South Carolina District Office, Region IV, under section 2 (b) of Maximum Price Regulation No. 426 be, and the same hereby is, revoked.

(b) This order shall become effective September 4th, 1944.

Issued this August 30, 1944.

EDWARD H. TALBERT,  
District Director.

[F. R. Doc. 44-14352; Filed, Sept. 16, 1944;  
11:53 a. m.]

[Omaha Order G-1 Under MPR 426, MPR 285, RPMR 271]

#### FRESH FRUITS AND VEGETABLES IN OMAHA, NEBR. AND COUNCIL BLUFFS, IOWA

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Omaha District Office of the Office of Price Administration by § 1439.3-15, Appendix H (f), Appendix I (g), Appendix J (l), Appendix K (r) of Maximum Price Regulation No. 426, § 1351.1254a (a) of Maximum Price Regulation No. 285 and § 11 (c) (7) (iv) of Revised Maximum Price Regulation No. 271, it is hereby ordered:

SECTION 1. *What this order does.* This order determines the limits of the free delivery zone at the wholesale receiving point of Omaha, Nebraska and Council Bluffs, Iowa. It also establishes differentials for non-delivered sales in the free delivery zone and for delivered sales beyond the free delivery zone. The commodities affected by this order are those within the coverage of Revised Maximum Price Regulation No. 271, Maximum Price Regulation No. 285 and Appendices H, I, J and K of Maximum Price Regulation No. 426. The persons affected by this order are the intermediate sellers

of commodities under Revised Maximum Price Regulation No. 271, the wholesalers of the commodities under Maximum Price Regulation No. 285 and the secondary jobbers and service wholesalers of commodities under Appendices H, I, J and K of Maximum Price Regulation No. 426.

SEC. 2. *Free delivery zones established.* The free delivery zone established by this order shall be the Omaha-Council Bluffs free delivery zone which shall consist of the territory within the corporate limits of the cities of Omaha, Nebraska and Council Bluffs, Iowa.

SEC. 3. *Free delivery zone deliveries.* (a) No person affected by this order may make charges for deliveries in the free delivery zone in which he has a place of business from which items covered by this order are sold.

(b) Where a person affected by this order makes sales of items subject to Appendices H, I, J, and K of Maximum Price Regulation No. 426 on a non-delivered basis, there shall be deducted from the maximum price for delivered sales of such items in the free delivery zone 5¢ per container for containers under 50 pounds (gross weight), and 10¢ per container for containers 50 pounds or more (gross weight).

(c) For non-delivered sales and for deliveries in the free delivery zone of items under Maximum Price Regulation No. 285 the maximum price shall be the maximum delivered price computed under Maximum Price Regulation No. 285 for the type of sale being made. Discounts and price differentials including any differentials or discounts for f. o. b. seller or non-delivered sales must be maintained.

(d) Where a person affected by this order makes sales of items under Revised Maximum Price Regulation No. 271 on a non-delivered basis or delivered in the free delivery zone, the maximum price shall be the price determined under Revised Maximum Price Regulation No. 271 and Regional Order No. G-1 under Revised Maximum Price Regulation No. 271.

SEC. 4. *Outside free delivery zone deliveries.* (a) In accordance with the provisions of paragraphs (b) or (c) of this section, a person making deliveries outside of the free delivery zone may charge the following:

(1) For deliveries within 75 miles beyond the free delivery zone, 25¢ per cwt.

(2) For deliveries at points in excess of 75 miles beyond the free delivery zone, 30¢ per cwt.

(b) Where a seller subject to this order makes deliveries of items within the coverage of Revised Maximum Price Regulation No. 271 and Appendices H, I, J and K of Maximum Price Regulation No. 426 at points beyond the free delivery zone, he may add to the price for the items being sold, as determined under the applicable regulation for deliveries within the free delivery zone, delivery charges in the amounts set forth in paragraph (a) of this section. Mileage beyond the free delivery zone shall be computed from the outermost limits of the free delivery zone to the point of delivery along the most direct publicly traveled route. The delivery charges provided

may be taken on the gross weight of the commodity being sold with container.

(c) Where a seller subject to this order makes deliveries of items within the coverage of Maximum Price Regulation No. 285 at points beyond the free delivery zone, he may add to the price for the items being sold, as determined under Maximum Price Regulation No. 285 for delivered sales in the free delivery zone, delivery charges in the amounts set forth in paragraph (a) of this section. Mileage beyond the free delivery zone shall be computed from the outermost limits of the free delivery zone to the point of delivery along the most direct publicly traveled route. The delivery charges provided shall be taken on the net weight of the commodity being sold.

(d) No person subject to this order may make delivery charges in excess of those herein provided, but lower charges may be made.

SEC. 5. *Records.* Persons making delivery charges authorized by this order shall on the written evidences of the sale or delivery required to be kept or supplied by the regulation applicable to the sale of the commodity, show the place of origin of the delivery and separately state the amount of the delivery charge being made.

SEC. 6. *Relationship with regulations.* Except as modified herein, persons making sales or deliveries of commodities within the coverage of Revised Maximum Price Regulation No. 271, Maximum Price Regulation No. 285 and Appendices H, I, J and K of Maximum Price Regulation No. 426 shall continue to be subject to the provisions of the applicable regulation.

SEC. 7. *Definitions.* (a) "Delivery" shall mean delivery to the physical premises of a retail store, hotel, restaurant or institution.

(b) "Non-delivery" shall mean any delivery other than to the physical premises of a retail store, hotel, restaurant or institution.

(c) The terms and phrases not herein defined shall be given the meaning ascribed to them in Revised Maximum Price Regulation No. 271, Maximum Price Regulation No. 285 and Maximum Price Regulation No. 426 or the Emergency Price Control Act of 1942, as amended, and if not therein defined, their ordinary meaning.

SEC. 8. *Revocability.* This order may be revoked, amended or corrected at any time.

SEC. 9. *Effective date.* This order shall become effective on August 31st, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 31st day of August 1944.

JOHN G. ALDRICH,  
District Director.

Approved:

E. O. POLLOCK,  
Regional Director,  
War Food Administration.

[F. R. Doc. 44-14349; Filed, Sept. 16, 1944;  
11:51 a. m.]



[North Platte Order G-1 Under MPR 426 and MPR 285]

# FRESH FRUITS AND VEGETABLES IN NEBRASKA

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the North Platte, Nebraska, District Office of the Office of Price Administration, by § 1439.3-15, Appendix H (f), Appendix I (g) of Maximum Price Regulation No. 426, and § 1351.1254a (a) of Maximum Price Regulation No. 285, it is hereby ordered:

(a) *What this order does.* This order determines the limits of the free delivery zone at the wholesale receiving point of the cities or towns of North Platte, Scottsbluff, Crawford, Grand Island, Hastings, McCook, Holdrege, Lewellen, and Kearney, all in the State of Nebraska. It also establishes differentials for non-delivered sales in the free delivery zone and for delivered sales beyond the free delivery zone. The order applies to such fresh fruit and vegetable items as are now or may hereafter be subject to the pricing provisions of Maximum Price Regulation No. 285 and Appendices H and I of Maximum Price Regulation No. 426. The only sellers who are subject to this order are those wholesalers who price under Maximum Price Regulation No. 285, and secondary jobbers and service wholesalers, as these terms are used in Appendices H and I of Maximum Price Regulation No. 426.

(b) *Establishment of delivery zones.* (1) The free delivery zone established by this order shall be the area within the corporate limits of the following cities or towns, for the wholesalers therein located: North Platte, Scottsbluff, Crawford, Grand Island, Hastings, McCook, Holdrege, Lewellen and Kearney, Nebraska.

(2) The zone in which charges may be made for delivery is the area outside the free delivery zone.

(c) *Differentials for non-delivered and delivered sales of items listed in Appendices H and I of Maximum Price Regulation No. 426—(1) Non-delivered sales.* For sales on a non-delivered basis there shall be deducted from the price for delivered sales in the free delivery zone, 5¢ per container for standard shipping containers weighing under 50 pounds gross weight, and 10¢ per container for standard shipping containers weighing 50 pounds or over gross weight. A deduction of 2¢ or 5¢ respectively, shall be made for non-delivered sales or half standard shipping containers or more, or for bulk sales weighing as much as or more than half a standard container of the item being sold. No deductions need be made for sales in less than half containers and for bulk sales which weigh less than half a standard container of the item being sold.

(2) *Delivered sales in the free delivery zone.* For deliveries in the free delivery zone the maximum delivered price

shall be the maximum delivered price computed under Maximum Price Regulation No. 426 for the type of sale being made without any deduction from or addition thereto.

(3) *Delivered sales beyond the free delivery zone.* For deliveries beyond the free delivery zone the amount set out below may be added to the price for delivered sales in the free delivery zone. Mileage beyond the free delivery zone shall be computed via the nearest publicly traveled route.

All containers and in bulk—Gross weight:  
25 miles or less—Beyond free delivery zone,  
25¢ per cwt.

Beyond 25 miles—From free delivery zone,  
35¢ per cwt.

(d) *Differentials for non-delivered and delivered sales of items under Maximum Price Regulation No. 285—(1) Non-delivered sales and delivered sales in the free delivery zone.* For non-delivered sales and for deliveries in the free delivery zone the maximum price shall be the maximum delivered price computed under Maximum Price Regulation No. 285 for the type of sale being made. Discounts and price differentials including any differential or discounts for f. o. b. seller or non-delivered sales must be maintained.

(2) *Delivered sales beyond the free delivery zone.* For deliveries beyond the free delivery zone the amount set out below may be added to the price for delivered sales in the free delivery zone. Deliveries beyond the free delivery zone shall be computed via the nearest publicly traveled route. Delivery charge shall be computed for the net weight of bananas delivered.

Net weight:  
25 Miles or less—Beyond free delivery zone,  
25¢ per cwt.  
Beyond 25 Miles—From free delivery zone,  
35¢ per cwt.

(e) *Definitions.* "Delivery" means delivery to the physical premises of a retail store, hotel, restaurant or institution. Unless the context otherwise requires, the terms used herein shall have the same meaning as given them in Maximum Price Regulation No. 285 and Maximum Price Regulation No. 426.

(f) This order may be revoked, revised, amended or corrected at any time.

(g) *Effective date.* This order shall become effective on August 21, 1944.

(56 Stat. 23 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 15th day of August 1944.

CHARLES SMRHA,  
District Director.

Approved:

DONALD E. SMITH,  
Acting Director of Distribution,  
War Food Administration.

[F. R. Doc. 44-14350; Filed, Sept. 16, 1944;  
11:52 a. m.]

## SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 54-68, 59-55]

COMMUNITY GAS AND POWER CO., ET AL.

### NOTICE OF FILING AND NOTICE OF AND ORDER FOR HEARING

In the matter of Community Gas and Power Company, American Gas and Power Company, File No. 54-68; Community Gas and Power Company, American Gas and Power Company, and the subsidiary companies thereof, File No. 59-55; Respondents.

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pennsylvania, on the 15th day of September A. D. 1944.

Notice is hereby given that Community Gas and Power Company ("Community"), a registered holding company, and American Gas and Power Company ("American"), a registered holding company and a subsidiary company of Community, have filed with this Commission Amendment No. 10 to their amended plan heretofore filed pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935 ("Act") for the purpose of effecting compliance with section 11 (b) of the act.

All interested persons are referred to said Amendment No. 10, which is on file in the office of this Commission for a statement of the transaction therein proposed, which is summarized as follows:

American has contracted to sell, pursuant to the terms and provisions of a contract of sale dated September 13, 1944, all its interest in Bangor Gas Company ("Bangor"), consisting of 6,000 shares of common stock of the par value of \$80 each (including five directors' qualifying shares), to Esther M. Kane, Benjamin N. Kane, Howard Kane, Irwin E. Kane and Sidney A. Kane, all of Providence, Rhode Island, doing business under the name and style of Benjamin N. Kane Investment Co., a partnership, for the sum of \$122,500. American is also to receive the net earnings of Bangor from August 31, 1944, to the date of closing. The proceeds to be derived from the sale by American will be deposited with The New York Trust Company, as successor trustee under American's Debenture Agreement, dated as of May 1, 1928, as supplemented and amended.

American was directed to dispose of its interest in Bangor by this Commission's order dated July 2, 1943 (entered in File No. 59-55 proceedings) pursuant to section 11 (b) (1) of the act. The amended plan of American pending before the Commission under section 11 (e) of the act provides for the sale of American's interest in Bangor.

American requests, in order that it may have the exemption afforded by section 1808 (f) of the Internal Revenue Code, that the Commission approve the transaction as necessary or appropriate to effectuate the provisions of section 11 (b) of the act, and specify and itemize the transfer of securities.

It appearing to this Commission that it is appropriate in the public interest and in the interests of investors and con-



sumers that a hearing be held with respect to said Amendment No. 10 to the amended plan of Community and American;

*It is ordered,* That a hearing on such matters under the applicable provisions of the act and rules of this Commission thereunder be held on September 29, 1944, at 10:00 a. m., e. w. t., at the offices of this Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. On such day the hearing room clerk in room 318 will advise as to the room where such hearing will be held. At such hearing cause shall be shown why such Amendment No. 10 shall be approved.

*It is further ordered,* That Willis E. Monty, or any officer or officers of the Commission designated by it for that purpose, shall preside at the hearings on such matters. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 of the act and to a trial examiner under the Commission's rules of practice.

*It is further ordered,* That without limiting the scope of the issues presented in the consolidated proceedings, particular attention will be directed at the hearings to the following matters and questions:

1. Whether the proposed transaction is fair and equitable to the persons interested and is necessary to effectuate the provisions of section 11 (b).

2. Whether and to what extent it is necessary or appropriate in the public interest or for the protection of investors or consumers to impose terms or conditions in regard to the proposed sale, having particular regard for the consideration to be received for such sale, maintenance of competitive conditions, fees and commissions, accounts, disclosure of interest, and similar matters.

3. Generally, whether the proposed transaction is in all respects in the public interest and in the interests of investors and consumers and consistent with all applicable requirements of the Act and the rules thereunder and if not, what modifications should be required to be made therein and what terms and conditions should be imposed to satisfy the statutory standards.

*It is further ordered,* That notice of the aforesaid hearing be given to Community and American and to the Public Utilities Commission of the State of Maine by registered mail and to all other persons by general release of this Commission, which shall be distributed to the press and mailed to the mailing list for releases issued under the Act and by publication in the FEDERAL REGISTER.

It is requested that any person desiring to be heard in these proceedings shall file with the Secretary of this Commission on or before September 25, 1944, an appropriate request or application to be heard, as provided by Rule XVII of the Commission's rules of practice.

By the Commission.

[SEAL] ORVAL L. DuBois,  
Secretary.

[F. R. Doc. 44-14313; Filed, Sept. 16, 1944;  
10:42 a. m.]

[File No. 70-950]

OHIO EDISON CO., AND THE COMMON-  
WEALTH & SOUTHERN CORP.

ORDER GRANTING JOINT APPLICATION-  
DECLARATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 14th day of September, 1944.

Ohio Edison Company, a public utility company, and its parent, The Commonwealth & Southern Corporation, a registered holding company, having filed a joint application-declaration pursuant to sections 6 and 7, 9, 10 and 12 of the Public Utility Holding Company Act of 1935 and Rules U-42, U-43, U-44, U-45 and U-50 thereunder, regarding (1) the issue and sale by competitive bidding pursuant to rule U-50, of \$30,962,000 principal amount of First Mortgage Bonds ----% Series due 1974, and 180,000 shares of ----% Preferred Stock with a par value of \$100 per share, the interest rate on the bonds and the dividend rate on the preferred stock to be determined by the results of the competitive bidding, but in respect of the bonds to be a multiple of  $\frac{1}{8}\%$  and not to exceed  $3\frac{1}{4}\%$  and in respect of the preferred stock to be a multiple of  $\frac{1}{10}\%$  or  $\frac{1}{2}\%$  but not to exceed  $4\frac{1}{2}\%$ ; (2) the issue and sale to banks of \$10,000,000 principal amount of  $2\frac{1}{4}\%$  instalment notes payable in 16 equal semi-annual instalments, of which the first instalment is payable six months after the date of delivery and subsequent instalments each six months thereafter; (3) contributions by the Commonwealth & Southern Corporation to the common stock equity of Ohio Edison Company by (a) the donation to Ohio Edison Company of all of the common stock, 110,000 shares, of Pennsylvania Power Company, (b) the giving up by The Commonwealth & Southern Corporation of the claim of \$1,149,707 for 12,134 shares of Ohio Edison Company's preferred stock, \$6.60, \$7 and \$7.20 Series, surrendered by The Commonwealth & Southern Corporation to Ohio Edison Company and cancelled on December 31, 1943, and (c) the surrender to Ohio Edison Company by The Commonwealth & Southern Corporation for cancellation of 1,162 shares of Ohio Edison Company's preferred stock, \$6 Series, at the cash cost thereof to The Commonwealth & Southern Corporation amounting to \$96,555; and (4) the amendment of Ohio Edison Company's Articles of Incorporation to change the number of shares of its common stock from 1,436,920 shares without par value presently outstanding to 1,795,847 shares having a par value of \$8 per share and correspondingly to reduce the stated capital represented by the common stock from an aggregate of \$14,499,200 to \$14,366,776, the difference of \$132,424 to be credited to capital surplus; and

The Commonwealth & Southern Corporation having requested that the order of the Commission conform to the requirements of section 1808 (f) of the

Internal Revenue code and contain the findings therein specified; and

Hearings having been held on the joint application-declaration, after appropriate notice, and the Commission having considered the record and having made and filed its findings and opinion herein,

*It is ordered,* That the joint application-declaration, as amended, be and hereby is granted and permitted to become effective forthwith, subject to the terms and conditions contained in rule U-24 and to the following terms and conditions:

1. That the proposed issuance and sale of the \$30,962,000 principal amount of first mortgage bonds and 180,000 shares of preferred stock shall not be consummated until the results of the competitive bidding pursuant to rule U-50 have been made a matter of record in this proceeding and a further order entered in the light of the record so completed, which order may contain further terms and conditions as may then be deemed appropriate, jurisdiction being reserved for such purpose;

2. That so long as any of the new bonds or new preferred stock shall remain outstanding, Ohio Edison Company shall not declare or pay any dividends on its common stock (other than dividends payable in common stock) or make any distribution of assets to holders of common stock by purchase of shares or otherwise, in an amount which when added to the aggregate of all such dividends and distribution subsequent to the last day of the month in which the new bonds and new preferred stock are issued would exceed 75% of the balance of the consolidated net income earned subsequent to said date available for the payment of dividends on the common stock if, at the time of the declaration of any such dividend or the making of any such distribution the aggregate of the par value of the outstanding shares of the common stock of Ohio Edison Company and of the consolidated surplus of Ohio Edison Company and subsidiary companies would be less than an amount equal to 25% of the total consolidated capitalization and surplus of Ohio Edison Company and subsidiary companies as defined in the registration statement in respect of the bonds and preferred stock filed by Ohio Edison Company under the Securities Act of 1933, as amended.

*It is further ordered,* That the transfer by The Commonwealth & Southern Corporation of the 110,000 shares of common stock of Pennsylvania Power Company as a capital contribution to the common stock equity of Ohio Edison Company is necessary or appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935.

*It is further ordered,* That the jurisdiction reserved by this Commission in its order of December 30, 1943 (Holding Company Act Release No. 4805) with respect to the determination of the claim for \$1,149,707 by The Commonwealth & Southern Corporation in respect of the 12,134 shares of \$6.60 Series, \$7 Series, and \$7.20 Series preferred stock of Ohio



Edison Company surrendered by The Commonwealth & Southern Corporation, be and hereby is released.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 44-14378; Filed; Sept. 18, 1944;  
9:38 a. m.]

[File No. 811-292]

ELMIRA SHARES CORP.

#### NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 16th day of September, A. D. 1944.

An application has been filed by Elmira Shares Corporation, a registered investment company, pursuant to section 8 (f) of the Investment Company Act of 1940, for an order declaring that the applicant has ceased to be an investment company within the meaning of said act.

*It is ordered*, Pursuant to section 40 (a) of said act, that a hearing on the aforesaid application be held on October 9, 1944, at ten o'clock a. m., eastern war time, in Room 318, Securities and Exchange Commission Building, 18th and Locust Streets, Philadelphia, Pennsylvania; and

*It is further ordered*, That Charles S. Lobingier, Esq., or any other officer or officers of the Commission designated by it for that purpose shall preside at such hearing. The officer so designated is hereby authorized to exercise all the powers granted to the Commission under sections 41 and 42 (b) of the Investment Company Act of 1940 and to trial examiners under the Commission's rules of practice.

Notice of such hearing is hereby given to the applicant and to any other persons whose participation in such proceeding may be in the public interest or for the protection of investors.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 44-14373; Filed, Sept. 18, 1944;  
9:37 a. m.]

[File No. 59-23]

THE MIDDLE WEST CORP., ET AL.

#### NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 15th day of September, 1944.

In the matter of The Middle West Corporation, North West Utilities Company, Wisconsin Power and Light Company; file No. 59-23.

The Commission having heretofore by its order dated September 10, 1943, pursuant to section 11 (b) (2) of the Public Utility Holding Company Act of 1935 ordered, among other things, that within one year North West Utilities Company

(North West) shall be liquidated and its existence terminated; and that the Middle West Corporation (Middle West) and North West proceed with due diligence to submit to the Commission a plan for the prompt liquidation of North West and the termination of its existence.

Notice is hereby given that on September 9, 1944 Middle West and North West, both registered holding companies, filed a joint application requesting the entry of an order by the Commission under section 11 (c) of the act for an extension of time for one year within which to comply with the Commission's order of September 10, 1943.

All interested persons are referred to the said application which is on file in the offices of the Commission for full details concerning said matters.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held for the purpose of considering the application:

*It is hereby ordered*, That a hearing in this proceeding shall be held on October 10, 1944, at 10:00 a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania, in such room as may be designated on such date by the hearing room clerk in Room 318. All persons desiring to be heard or otherwise wishing to participate in the proceedings should notify the Commission in the manner provided for by the rules of practice, rule XVII, on or before 5:30 p. m., e. w. t., October 3, 1944.

*It is further ordered*, That Henry C. Lank, or any other officer or officers of the Commission designated by it for that purpose, shall preside at such hearing. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a trial examiner under the Commission's rules of practice.

*It is further ordered*, That without limiting the scope of the issues presented by said application, particular attention will be directed at said hearing to the following matters and questions:

1. Whether Middle West and North West have exercised due diligence in their effort to comply with the order of the Commission dated September 10, 1943.

2. Whether and to what extent an extension of time for compliance with our order of September 10, 1943, is necessary or appropriate in the public interest or for the protection of investors and consumers.

*It is further ordered*, That the Secretary of this Commission serve notice of the entry of this order by mailing a copy thereof by registered mail to the applicants and that notice shall be given to all other persons by publication thereof in the FEDERAL REGISTER.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 44-14372; Filed, Sept. 18, 1944;  
9:36 a. m.]

[File No. 70-956]

GULF STATES UTILITIES CO.

#### ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 15th day of September, A. D. 1944.

Gulf States Utilities Company, a public-utility subsidiary of Engineers Public Service Company, a registered holding company, having filed a declaration and amendments thereto, proposing the issue and sale, in accordance with Rule U-50 promulgated under the act, of 120,000 shares of Cumulative Dividend Preferred Stock, par \$100, and the application of the proceeds from the sale of said preferred stock to be used in part for the refunding and discharging of its presently outstanding \$6 Dividend Preferred Stock and \$5.50 Dividend Preferred Stock, no par value, at the respective redemption prices of \$110 and \$108 per share plus accrued and unpaid dividends to the date of redemption and in part for the financing of the business of declarant as a public utility; and

Gulf States having requested that the ten-day period for inviting bids, as provided in our Rule U-50 (b), be shortened to a period of six days; and

A public hearing having been held after appropriate notice and the Commission having considered the record and made and filed its findings and opinion herein:

*It is ordered*, That said declaration, as amended, be, and the same hereby is, permitted to become effective forthwith, subject to the terms and conditions contained in Rule U-24 and the following additional terms and conditions:

(1) That said proposed issuance and sale of securities shall not be consummated until the results of the competitive bidding pursuant to Rule U-50 have been made a matter of record in this proceeding and a further order shall have been entered by this Commission in the light of the record so completed, which order may contain further terms or conditions as may then be deemed appropriate, jurisdiction being reserved for the imposition thereof in connection with the proposed transactions;

(2) That jurisdiction is reserved over the initial offering price for the securities, the underwriter's compensation and the allocation thereof, the dividend rate, and all legal fees and expenses to be paid in connection with these transactions.

(3) That so long as any series of the new preferred stock shall be outstanding Gulf States shall not declare or pay any dividends or make any distribution to the holders of the common stock (other than a dividend payable in common stock of the company), or purchase or acquire or otherwise retire for a consideration (otherwise than from the proceeds of new financing from the issuance and sale of any shares of any class of stock of the company ranking junior to the new preferred stock) any shares of its common stock (such dividends, distributions, purchases, acquisitions and retirements being hereinafter referred to as "com-



mon stock dividend"), if the aggregate amount so paid, distributed and/or applied after June 30, 1944, would exceed in the aggregate the aggregate of the net income of the company available for dividends on its common stock accumulated after June 30, 1944: *Provided, however*, That a common stock dividend may not be paid in an amount in excess of 75% of the net income available for dividends on the common stock if, after giving effect thereto, the aggregate of the following: (1) common stock capital account, (2) earned surplus account and (3) capital surplus account, is less than 25% of the aggregate of (a) the principal amount of then outstanding debt, (b) preferred stock capital account (excluding premiums and assessments on capital stock account, (c) common stock capital account, (d) earned surplus account and (e) capital surplus account. Net income available for dividends on common stock for the purpose of this condition shall be as defined in paragraph 8 of Subdivision D of Article VI of the charter of Gulf States as amended by the certificate of amendment thereto to be filed in the office of the Secretary of State of the State of Texas, and as summarized in footnote 9 to the Commission's findings and option herein, in connection with the issuance of these securities covered by the present declaration, as amended.

*It is further ordered*, That the ten-day period for inviting bids as provided in rule U-50 (b) be shortened to a period of not less than six days.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 44-14370; Filed, Sept. 18, 1944;  
9:37 a. m.]

[File No. 70-838]

**THE LAKE SHORE GAS CO., AND ASSOCIATED  
ELECTRIC CO.**

**SUPPLEMENTAL ORDER GRANTING AND PER-  
MITTING AMENDED APPLICATION-DECLARA-  
TION TO BECOME EFFECTIVE**

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 15th day of September, 1944.

Associated Electric Company, having filed an application-declaration, pursuant to sections 9 (a), 10, 12 (d), and 12 (f) of the Public Utility Holding Company Act of 1935, regarding the proposed sale of its entire interest in The Lake Shore Gas Company, the proposed acquisition by Associated Electric Company of certain assets of The Lake Shore Gas Company, and resulted matters; and

The Commission having, on August 11, 1944, made and filed its findings and opinion and issued its order reserving jurisdiction to consider further any amendments to said application-declaration respecting the treatment of an item of \$370,674.09 on the books of The Lake Shore Gas Company now carried in the account for plant and other physical property, and to enter such further orders as shall appear appropriate; and

An amendment to said application-declaration having been filed, proposing

that in respect of said item of \$370,674.09 the caption "Fixed Capital—Plant and other Physical Property", appearing on the face of the balance sheet of The Lake Shore Gas Company, be revised so that the same shall read as follows:

Fixed Capital—Plant and Other Physical Property (including an amount of \$370,674.09<sup>1</sup> representing the estimated remaining excess of the amount at which certain property, acquired in 1925 from an affiliated company, was stated (based on securities issued) over the net carrying value on the books of such company as more fully set forth in Note 1).

It being further proposed in said amendment to add as part of Note 1 to the balance sheet of The Lake Shore Gas Company an explanation of said item of \$370,674.09 so that the footnote shall read as follows:

**(1) Fixed Capital:**

The amount at which fixed capital is stated represents the cost in securities of property acquired from an affiliated company in 1925 plus subsequent additions at cost (principally cash) less retirements.

This Company was organized in 1925 for the purpose of acquiring and did acquire the net assets of The Ashtabula Gas Company (another subsidiary of the then parent of this Company) issuing therefor securities of a par or stated value of \$630,691.35 in accordance with authorizations and approvals of The Public Utilities Commission of Ohio. Said Commission in its order dated July 29, 1925 authorizing the acquisition of the properties of Ashtabula by this Company found "that for the purchase and sale purposes, the value of all the property, rights and other assets of said The Ashtabula Gas Company, including a working capital and stock of materials and supplies of the value of \$26,500.00 (which said property is now held subject to the lien of \$599,000.00 outstanding First Mortgage Bonds) is not less than the sum of \$1,157,743.00."

This Company recorded said property on its books at \$1,219,686.11 which was \$88,443 greater than the minimum value so found by The Public Utilities Commission of Ohio and \$296,182.00 in excess of the gross value and \$442,674.09 in excess of the net value (after deducting the related retirement reserve) at which such property was carried on the books of The Ashtabula Gas Company. It is estimated that since the acquisition of such properties by this Company, \$72,000.00 of such excess has been eliminated from the fixed capital account by charges to the reserve for retirements in respect of property retired from service. Thus, it is estimated that as at September 30, 1943, there remained in the fixed capital account of this Company, \$370,674.09 of such excess of the amount at which said property was stated on the books of this Company (based on securities issued) over the net value at which it was formerly carried on the books of The Ashtabula Gas Company.

No determination has ever been made of the original cost (the cost to the person first devoting the property to public service) of the properties acquired from The Ashtabula Gas Company. It is therefore impossible at this time to estimate to what extent, if any, the book value placed on the said properties at the time of acquisition by this Company exceeded the original cost of such properties.

The Commission having considered the matter and finding that it is appropriate in the public interest and the interest of investors and consumers that said ap-

<sup>1</sup> As of September 30, 1943.

plication-declaration, as amended, be granted and permitted to become effective forthwith and that the jurisdiction reserved in our order of August 11, 1944, be released:

*It is ordered*, That said application-declaration, as amended, be, and hereby is, granted and permitted to become effective forthwith, subject to the terms and conditions prescribed in Rule U-24 of the general rules and regulations.

*It is further ordered*, That the jurisdiction reserved in the order of August 11, 1944, in the above matter be, and hereby is, released.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 44-14376; Filed, Sept. 18, 1944;  
9:38 a. m.]

[File Nos. 70-7; 70-25]

**COLUMBIA GAS & ELECTRIC CORP., ET AL.**

**NOTICE REGARDING FILING**

In the matter of Columbia Gas & Electric Corporation, the Manufacturers Light and Heat Company, Manufacturers Gas Company, Pennsylvania Fuel Supply Company, Greensboro Gas Company, Fayette County Gas Company, File Nos. 70-7; 70-25.

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 14th day of September, 1944.

Notice is hereby given that Columbia Gas & Electric Corporation (Columbia Gas), a registered holding company, has filed a declaration pursuant to Instruction 8C of the Uniform System of Accounts for Public Utility Holding Companies promulgated by the Commission pursuant to the provisions of the Public Utility Holding Company Act of 1935.

Notice is further given that any interested person may, not later than September 23, 1944, at 5:30 p. m., e. w. t., request the Commission in writing that a hearing be held on such matter, stating the reason for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter, such declaration, as filed or as amended, may become effective as provided in Rule U-23 of the rules and regulations promulgated pursuant to said act, or the Commission may exempt such transactions as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. All interested persons are referred to said declaration, which is on file in the office of the Commission, for a statement of the transactions therein proposed, which are summarized below:

Columbia Gas requests approval of the amount at which it proposes to record its investment in the common stock (601,201 shares) of The Manufacturers Light and Heat Company, a new corporation to be formed upon consummation of a program involving the merger



and consolidation of four constituent companies, which program was approved by order of this Commission dated June 23, 1944 (Holding Company Act Release No. 5128).

Columbia Gas proposes to record its investment in the common stock of the new Manufacturers Light at \$48,626,794.28 and credit its present investment accounts with amounts of \$45,506,740.18 and \$1,495,815.28 and its Special Capital Surplus with \$1,633,240.55 and debit its Reserves for Investments in Subsidiaries with \$9,001.73, such proposed entries having been arrived at as follows:

Present investment in common stock:

Old Manufacturers Light	\$30,218,287.48
Manufacturers Gas	2,413,373.94
Pennsylvania Fuel	1,395,956.82
Greensboro	9,900,000.00
Fayette	1,579,121.94
Total	45,506,740.18
Less reserve (Manufacturers Gas)	9,001.73
Net investment	45,497,738.45
Plus capital contributions to be made by forgiveness of indebtedness:	
Manufacturers Gas	\$920,000.00
Pennsylvania Fuel	575,815.28
	1,495,815.28
Plus surplus prior to January 1, 1938, accruing during period of ownership by Columbia which, undistributed at the date of merger and consolidation, will be included in common stock or capital surplus by new Manufacturers Light:	
Old Manufacturers Light	\$1,375,734.90
Manufacturers Gas	11,553.54
Pennsylvania Fuel	44,330.41
Greensboro	146,014.93
Fayette	55,606.72
Total	1,633,240.55
	48,626,794.28

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 44-14371; Filed, Sept. 18, 1944;  
9:37 a. m.]

[File No. 70-953]

ELECTRIC POWER & LIGHT CORP., AND  
ARKANAS POWER AND LIGHT CO.

ORDER GRANTING JOINT APPLICATION  
DECLARATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 16th day of September, A. D., 1944.

Arkansas Power & Light Company, a public utility company, and its corporate parent, Electric Power & Light Corporation, a registered holding company, having filed a joint application and declaration and amendments thereto under the Public Utility Holding Company Act of 1935 and particularly sections 6 (b), 9, 10 and 12 thereof and Rules U-42, U-43 and U-44 thereunder; regarding (a) the transfer by Electric Power & Light Corporation to Arkansas Power & Light Company of all of the securities of the latter held by it consisting of 7,697 shares of \$7 preferred stock and 1,233,638 shares of no par value common stock and the payment by Electric Power & Light Corporation to Arkansas Power & Light Company of \$4,000,000 in cash; (b) the cancellation by Arkansas Power & Light Company of the securities to be received by it from Electric Power & Light Corporation together with 891 shares of reacquired \$7 preferred stock and 453 shares of reacquired \$6 preferred stock held in its treasury; (c) the issuance by Arkansas Power & Light Company to Electric Power & Light Corporation of 1,070,000 shares of new \$12.50 par value common stock and the restatement of the then remaining outstanding shares of \$6 and \$7 preferred stock at \$100 a share, the amount of the claim of such shares on liquidation; (d) the redemption by lot of 39,934 shares of the \$7 preferred stock of Arkansas Power & Light Company at the redemption price of \$110 plus accrued dividends; (e) the making of certain other accounting adjustments in compliance with an order of the Department of Public Utilities of Arkansas; and (f) the amendment of the articles of incorporation of Arkansas so as to confer contingent voting rights on its preferred stocks and to provide that in the event of a partial redemption of either of the classes of preferred stocks, the shares to be redeemed shall be selected by lot.

Samuel Okin having filed a request for leave to intervene in the above proceedings and having requested oral argument and permission to file a brief therein, and having been granted limited participation by the trial examiner; and

A public hearing having been held on said application and declaration after appropriate notice, and the Commission having examined the record and made and filed its findings and opinion based thereon:

It is ordered, That said joint application and declaration, as amended, be, and the same hereby are, granted and permitted to become effective, subject to the terms and conditions prescribed in Rule U-24 promulgated pursuant to the Public Utility Holding Company Act of 1935 and to the following further conditions:

(1) Within 30 days from the date hereof Arkansas Power & Light Company shall amend its certificate of incorporation so as automatically to create in the future a capital surplus of an amount sufficient to comply with a final order of the Federal Power Commission in its pending original cost determinations if such an order is issued and becomes final, and that said amendment shall be in the form of the proposed amendment here-

tofore submitted by Arkansas Power & Light Company as set forth in Appendix C of the findings and opinion herein, which Appendix C is hereby incorporated herein by reference and made a part hereof as if specifically set forth herein.

(2) Whenever the ratio that the par value of common stock plus surplus bears to the total capitalization of Arkansas (consisting of the aggregate of the following: (i) the principal amount of all outstanding indebtedness of the company represented by bonds, debentures, notes and other securities—in each case, maturing by their terms one year or more from their date of issue (ii) the amount of the stated or par value of all capital stock of Arkansas of all classes, and (iii) an amount equal to the surplus of Arkansas) shall be less than 20% thereof, then not more than 50% of the earnings accumulated during such period otherwise available therefor shall be used for the payment of dividends on common stock (other than dividends payable in common stock) and the acquisition of common stock until said ratio shall be not less than 20%, and whenever such ratio shall be 20% or more, but less than 25%, then not more than 75% of the earnings accumulated during such period otherwise available for such purposes shall be used therefor, and further that no dividends shall be paid on common stock nor any acquisitions of common stock be made which will reduce such ratio to less than 25%.

It is further ordered, That the requests of Samuel Okin for leave to intervene, for oral argument, and for permission to file a brief, be, and hereby are, denied.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 44-14377; Filed, Sept. 18, 1944;  
9:38 a. m.]

WAR FOOD ADMINISTRATION.

PHILLIPS COMMISSION CO.

NOTICE AS TO POSTED STOCKYARD

It has been ascertained that the Phillips Commission Company stockyard, Birmingham, Alabama, posted under the name of Union Stock Yards on June 10, 1928, as coming within the jurisdiction of the Packers and Stockyards Act, 1921, as amended, and changed to Phillips Commission Company on July 6, 1943, no longer comes within the definition of a stockyard under the Act. Therefore, notice of such fact is given to the owner of such stockyard and to the public by filing notice with the Division of the Federal Register.

(7 U.S.C. 1940 ed. 181 et seq.; E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Done at Washington, D. C., this 15th day of September 1944.

THOMAS J. FLAVIN,  
Assistant to the War  
Food Administrator.

[F. R. Doc 44-14318; Filed, Sept. 16, 1944;  
11:14 a. m.]



## Commodity Credit Corporation.

## OFFER TO COTTONSEED PROCESSORS

## EXTENSION OF TIME FOR ACCEPTANCE

SEPTEMBER 15, 1944.

The date on or before which processors may notify Commodity Credit Corporation of their acceptance of the Corporation's Offer to Cottonseed Processors (1944 CCC Cottonseed Form A) dated August 1, 1944, is hereby extended from September 1, 1944, to October 1, 1944.

COMMODITY CREDIT CORPORATION,

By J. B. HUTSON,  
President.

Attest:

NORINE J. FAUBLE,  
Assistant Secretary.

[F. R. Doc. 44-14397; Filed, Sept. 18, 1944;  
11:16 a. m.]

## Office of Distribution.

## DELEGATION OF AUTHORITY TO ADMINISTRATOR AND ALTERNATE ADMINISTRATOR

Pursuant to the authority vested in me by War Food Order No. 75, as amended (8 F.R. 11119; 9 F.R. 4321, 4319, 5333, 10033) and to effectuate the purposes of that order and of War Food Order No. 75-3 as amended (9 F.R. 10387) the Administrator of said War Food Order No. 75-3, or in his absence or inability, to act, the Alternate Administrator of said War Food Order No. 75-3 is hereby authorized:

(a) To grant and deny petitions for relief from hardship, including written applications by any slaughterer for revision of any conversion weight factor upon a showing that such factor will result in undue hardship in the preparation of certain products.

(b) To allocate set-aside meat to or among governmental agencies, authorized purchasers, or other persons entitled to purchase set-aside meat under a war food order.

All authority herein conferred shall be exercised subject to the supervision of the Chief of the Livestock and Meats Branch, Office of Distribution, War Food Administration, and in accordance with such general instructions concerning policy and procedure as may from time to time be issued by the Director of Distribution.

Nothing herein contained shall be construed as affecting any power or authority vested in the Director of Distribution.

Issued this 15th day of September 1944.

C. W. KITCHEN,  
Acting Director of Distribution.

[F. R. Doc. 44-14319; Filed, Sept. 16, 1944;  
11:14 a. m.]

## WAR MANPOWER COMMISSION.

BALTIMORE, MD., AREA

## EMPLOYMENT STABILIZATION PROGRAM

The following employment stabilization program for the Baltimore area is hereby prescribed, pursuant to § 907.3 (g) of War Manpower Commission Regula-

tion No. 7, "Governing Employment Stabilization Programs," effective August 16, 1943 (8 F.R. 11338).

## Sec.

1. Purpose.
2. Basic hiring procedures.
3. Statements of availability.
4. Certificate of prior employment.
5. Employment authorizations.
6. Disposition of forms.
7. Special referral provisions.
8. Restrictions on employment of persons for less than 48 hours per week.
9. Restrictions on hiring by employers granted exemption from the 48-hour workweek.
10. Utilization of existing hiring channels.
11. Exclusions.
12. Appeals.
13. Solicitation of workers.
14. Hiring.
15. Representation.
16. General referral policies.
17. Definitions.
18. Applicability of program.
19. Effective date.

**SECTION 1. Purpose.** In furtherance of the war effort the State Director of the War Manpower Commission for Maryland, with the concurrence of the Baltimore Area Management-Labor Committee, and the approval of the Regional Director, has adopted the following stabilization program for the Baltimore area. The purpose of the program is to eliminate wasteful labor turn-over, to reduce unnecessary migration by encouraging the full use of local labor, and to obtain the maximum utilization of manpower resources under standards protecting the rights of all concerned.

**SEC. 2. Basic hiring procedures.** (a) No employer shall hire any individual in, or for work in, the Baltimore area except upon referral by, with the consent of, or in accordance with arrangements with, the United States Employment Service of the War Manpower Commission.

(b) The Area Director of the War Manpower Commission, after consultation with the Area Management-Labor Committee, may issue regulations, in accordance with the provisions of this program, governing hiring procedures, the referral of workers to jobs, the priority of their referral, and the establishment of employment ceilings fixing the upper level of employment beyond which an individual employer may not hire.

**SEC. 3. Statements of availability.** (a) Statements of availability may be granted only by employers engaged in essential or locally needed activities, or by an office of the United States Employment Service.

(b) Circumstances under which statements of availability shall be granted

(i) By the employer:  
(i) If the employee has been discharged, or his employment has been otherwise terminated by his employer;  
(ii) If the employee has been laid off for an indefinite period or for a period of 7 or more days;

(iii) If continuance of employment would involve undue personal hardship;

(iv) If the employment is or was at a wage or salary or under working conditions below standards established by State or Federal law or regulation;

(v) If the employment is or was at a wage or salary below a level established or approved by the National War Labor Board (or other agency authorized to adjust wages or approve adjustments thereof) as warranting adjustment, and the employer has failed to adjust the wage in accordance with such level or to apply to the appropriate agency for such adjustment or approval thereof.

(2) By the United States Employment Service of the War Manpower Commission:

(i) If the employer fails or refuses to issue a statement of availability promptly to an individual when any of the circumstances set forth in section 3 (b) (1) exists;

(ii) If the individual is in the employ of an employer who the War Manpower Commission finds, after notice, hearing, and final decision, has not complied with any War Manpower Commission employment stabilization program, regulation, or policy, and for so long as such employer continues his noncompliance after such finding.

(c) A statement of availability shall contain only the individual's name, address, social security number, if any, the name and address of the issuing employer or War Manpower Commission officer and office, the date of issuance, a statement as to whether or not the individual's last employment was in a critical occupation, and such other information not prejudicial to the employee in seeking new employment as may be authorized or required by the War Manpower Commission.

(d) A worker seeking a statement of availability or a referral to employment under any circumstances except where he has been laid off or discharged from his last employment by his employer, shall be requested to remain on his job until the statement is issued, unless remaining on the job would subject him to undue personal hardship.

(e) A statement of availability authorizes new employment only upon referral by, with the consent of, or in accordance with arrangements with, the United States Employment Service.

**SEC. 4. Certificate of prior employment.** (a) Every employer shall give every employee who is separated for any reason whatsoever from his employment in an activity other than an essential or locally needed activity, a Certificate of Prior Employment in substantially the following form:

## CERTIFICATE OF PRIOR EMPLOYMENT

Name \_\_\_\_\_  
S. S. No. \_\_\_\_\_  
Occupation \_\_\_\_\_  
Entered our employ on \_\_\_\_\_ and was  
separated from our pay roll on \_\_\_\_\_  
194-  
Company \_\_\_\_\_  
Address \_\_\_\_\_  
By \_\_\_\_\_

(b) No employer in an activity other than an essential or locally needed activity shall refuse, when requested, to issue a certificate of prior employment to any such employee.

(c) No employer shall place on a certificate of prior employment any information not required by the above form.



(d) A certificate of prior employment shall not be issued to an individual separated from employment in an essential or locally needed activity.

(e) A certificate of prior employment authorizes new employment only upon referral by, with the consent of, or in accordance with arrangements with, the United States Employment Service.

#### SEC. 5. *Employment authorizations.*

(a) The local office of the United States Employment Service will issue employment authorizations, or referral cards to available employment, to individuals under the following circumstances:

(1) When the applicant has not previously been employed;

(2) When the applicant is unable to secure a certificate of prior employment and has established to the satisfaction of the United States Employment Service that he was not at any time during the preceding 60-day period engaged in an essential or locally needed activity.

SEC. 6. *Disposition of forms.* (a) Each person who is employed shall give his new employer the referral card, certificate of prior employment, or employment authorization which has authorized his employment. The employer shall retain it as part of the personnel record of the employee as evidence that such employment is not in violation of the stabilization program, and shall make it available for inspection, upon request to a representative of the War Manpower Commission.

(b) An individual who has received a statement of availability or a certificate of prior employment as provided herein, and who desires referral to other employment, shall present the statement or certificate to the United States Employment Service as evidence of his eligibility for referral to such other employment.

#### SEC. 7. *Special referral provisions.*

(a) If an individual is employed at less than full time or at a job which does not utilize his highest recognized skill for which there is a need in the war effort, the United States Employment Service may, upon his request, refer him to other available employment in which it finds that the individual will be more fully utilized in the war effort.

(b) No individual whose last regular employment was in agriculture shall be referred to nonagricultural work except after consultation with a designated representative of the War Food Administration.

#### SEC. 8. *Restrictions on employment of persons for less than 48 hours per week.*

(a) Notwithstanding any other provisions of this program, no employer shall employ any person for a scheduled workweek of fewer hours than the individual worked for his most recent employer unless such employment is authorized by the local office of the United States Employment Service.

(b) Employment for a scheduled workweek of 48 hours or of 45 hours in a plant operating on a 3-shift basis shall not be considered "fewer hours" even though the applicant has previously worked more than 48 hours.

(c) The Employment Service may authorize the employment of an applicant for "fewer hours" than those worked for his most recent employer if the individual presents a compelling personal reason to warrant a reduction in his hours of work.

SEC. 9. *Restrictions on hiring by employers granted exemption from the 48-hour workweek.* The area director may prohibit the hiring without special permission of additional persons, in any category, by an employer to whom exemption has been granted from the provision of Executive Order No. 9301 establishing a minimum wartime workweek of 48 hours.

SEC. 10. *Utilization of existing hiring channels.* To the maximum degree consistent with the regulations of the War Manpower Commission and with the objectives of this employment stabilization program, local initiative and co-operative efforts will be encouraged and utilized and maximum use made of existing hiring channels such as private employers, labor organizations, professional organizations, schools, colleges, technical institutions, and government agencies.

SEC. 11. *Exclusions.* No provisions of this employment stabilization program shall be applicable to:

(a) The hiring of an employee for agricultural employment;

(b) The hiring of an employee for work of less than 7 days' duration or for work which is supplementary to the employee's principal work; but such work shall not constitute the individual's "last employment" for the purpose of the program unless the individual is customarily engaged in work of less than 7 days' duration;

(c) The hiring by a foreign, state, county, or municipal government, or their political subdivisions, or their agencies and instrumentalities, or to the hiring of any of their employees unless such foreign, state, county or municipal government, or political subdivision, or agency or instrumentality has indicated its willingness to conform, to the maximum extent practicable under the constitution and laws applicable to it, with the program;

(d) The hiring of an employee in any territory or possession of the United States, except Alaska and Hawaii;

(e) The hiring of an employee for domestic service;

(f) The hiring of a school teacher for vacation employment or the rehiring of a school teacher for teaching at the termination of the vacation period;

(g) The hiring of an individual who has been in the employment of the hiring employer at any time during the preceding 30-day period. The employment herein referred to does not include employment of less than 7 days' duration nor employment which is supplemental to the employee's principal work.

SEC. 12. *Appeals.* Any worker or employer may appeal from any act or failure to act by the War Manpower Commission under this program, in accordance with regulations and procedures

of the War Manpower Commission. The granting or denial of a statement of availability by the United States Employment Service of the War Manpower Commission may be appealed by an employer or an employee provided an appeal is filed with the United States Employment Service local office within 5 days from the date of the notice of such determination.

SEC. 13. *Solicitation of workers.* No employer shall advertise or otherwise solicit for the purpose of hiring any individual if the hiring of such an individual would be subject to restrictions under this employment stabilization program, except in a manner consistent with such restrictions.

SEC. 14. *Hiring.* The decision to hire or refer a worker shall be based on qualifications essential for performance of or suitability for the job, and shall be made without discrimination as to race, color, creed, sex, national origin, or except as required by law, citizenship.

SEC. 15. *Representation.* Nothing contained in this program shall be construed to restrict any individual from seeking the advice and aid of, or from being represented by, the labor organization of which he is a member or any other representative freely chosen by him, at any step in the operation of the program.

SEC. 16. *General referral policies.* No provision in this program shall limit the authority of the United States Employment Service to make referrals in accordance with approved policies and instructions of the War Manpower Commission.

SEC. 17. *Definitions.* (a) "Agriculture" means those farm activities carried on by farm owners or tenants on farms in connection with the cultivation of the soil, the harvesting of crops, or the raising, feeding, or management of livestock, bees, and poultry, and shall not include any packing, canning, processing, transportation, or marketing of articles produced on farms unless performed or carried on as an incident to ordinary farming operations as distinguished from manufacturing or commercial operations.

(b) "Essential activity" means any activity included in the War Manpower Commission list of essential activities (9 F.R. 3439).

(c) "Locally needed activity" means any activity approved by the Regional Manpower Director as a locally needed activity.

(d) "Critical occupation" means any occupation designated as a critical occupation by the chairman of the War Manpower Commission.

(e) The terms "employment" and "work" as applied to an individual engaged in principal and supplementary employments mean his principal employment.

(f) "State" includes Alaska, Hawaii, and the District of Columbia.

SEC. 18. *Applicability of program.* This program shall be effective throughout the Baltimore area which includes Baltimore City; districts 1, 2, 3, 9, 12, 13,



14, and 15 of Baltimore County; districts 1 and 2 of Howard County; district 5 of Anne Arundel County and district 3 north of and including Pasadena.

Sec. 19. *Effective date.* The provisions of this program shall become effective at 12:01 a. m. on May 15, 1944.

Dated: May 1, 1944.

LAWRENCE B. FENNEMAN,  
Area Director.

Approved: May 5, 1944.

HENRY E. TREIDE,  
Regional Director.

[F. R. Doc. 44-14354; Filed, Sept. 16, 1944;  
2:47 p. m.]

#### WAR PRODUCTION BOARD.

[C-208]

##### CLIFFORD MOOERS

Clifford Mooers, a resident of Houston, Harris County, Texas, is charged by the War Production Board with having begun and carried on the construction of a building project on Kenmore Farm located approximately five miles east of Boerne, Kendall County, Texas, including the construction of a large barn and ranch house, three tenant houses, a large corral and stable, board fences, and related structures, in wilful violation of War Production Board General Conservation Order L-41 as amended July 27, 1943. These structures are incomplete. However, materials and labor used to date represent an expenditure of approximately \$25,000.

Clifford Mooers admits the charge of the War Production Board and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of Clifford Mooers, the Regional Compliance Chief and the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered, That:*

(a) Neither Clifford Mooers nor any of his successors or assigns nor any other person shall do any construction on Kenmore Farm, a tract of land located approximately five miles east of Boerne in Kendall County, Texas, unless specifically authorized in writing or otherwise permitted by the War Production Board or its regulations. This restriction shall apply not only to Clifford Mooers, but to

any other person, firm or corporation acting directly or indirectly for him.

(b) Nothing contained in this order shall be deemed to relieve Clifford Mooers, his successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on the date of issuance.

Issued this 15th day of September 1944.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 44-14309; Filed, Sept. 15, 1944;  
4:07 p. m.]

[C-209]

##### WILLIAM J. HANNAH

William J. Hannah, also known as Blutchie Hannah, of Port Arthur, Texas, is charged by the War Production Board with having begun and carried on the construction of a one story frame store building at 401 West Eighth Street, Port Arthur, Texas, on or about May 1, 1944, without securing approval from the War Production Board, in wilful violation of Conservation Order L-41. As of this date approximately \$2200 has been expended in the construction of this building and it is at this time incomplete.

William J. Hannah, also known as Blutchie Hannah, admits the violation as charged and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of William J. Hannah, also known as Blutchie Hannah, the Regional Compliance Chief and the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered, That:*

(a) Neither William J. Hannah, also known as Blutchie Hannah, and his successors or assigns, nor any other person shall do any further construction on the property at 401 West Eighth Street, Port Arthur, Texas, unless specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve William J. Hannah, also known as Blutchie Hannah, his successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except in-

sofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on the date of issuance.

Issued this 16th day of September 1944.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 44-14358; Filed, Sept. 16, 1944;  
3:45 p. m.]

[C-212]

##### MANGEL'S OF ATLANTA, INC.

Mangel's of Atlanta, Incorporated, Atlanta, Georgia, is charged by the War Production Board with having begun construction in December, 1943, which construction consisted of alterations and remodeling of a building located at 185 Peachtree Street, N. E., Atlanta, Georgia, the estimated cost of which was in excess of \$10,000, without securing approval from the War Production Board, in violation of Conservation Order L-41, the exceptions to which were not applicable. Mangel's of Atlanta, Incorporated, admits that construction was done without authorization and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of Mangel's of Atlanta, Incorporated, the Regional Compliance Chief and the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered, That:*

(a) Neither Mangel's of Atlanta, Incorporated, its successors or assigns, nor any other person, firm or corporation, shall do any construction on the premises at 185 Peachtree Street, N. E., Atlanta, Georgia, including altering or remodeling the structure, unless hereafter specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Mangel's of Atlanta, Incorporated, its successors or assigns, from any restrictions, prohibitions or provisions contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

Issued this 16th day of September 1944.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 44-14357; Filed, Sept. 16, 1944;  
3:45 p. m.]